

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66492 of 2023

Arising Out of PS. Case No.-1979 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Ritesh Kumar Jha Son Of Late Jai Prakash Jha R/O Vill - Parasmani, P.S. - Sarsi, Distt. - Purnea
 2. Abhishek Kumar @ Sonu @ Abhishek Thakur @ Sonu Son Of Late Bhuneshwar Thakur R/O Vill - Parasmani, P.S. - Sarsi, Distt. - Purnea
 3. Santosh Kumar Sah Son of Sri Soti Sah R/o vill - Champawati, P.S. - Sarsi, Distt. - Purnea
 4. Amit Kumar Sah Son of Sri Umesh Prasad Sah R/o vill - Champawati, P.S. - Sarsi, Distt. - Purnea

... .. Petitioners

Versus

1. The State of Bihar
2. Dipak Kumar Sah Son of Late Bhagwat Sah R/o vill - Parasmani, P.s. - Sarsi, Dist. - Purnea

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Amit Kumar Anand, Advocate
For the Opposite Party : Mr.Tarun Prasad Mandal, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under section 406 of the Indian Penal Code.

3. As per the prosecution case, petitioners purchased chicken feeds from the shop of the complainant but they did not pay the dues of Rs.3,00,206/- rather they abused and assaulted the complainant when he asked them to return the dues.

4. It is submitted on behalf of the petitioners that due to village politics this false case has lodged by the complainant implicating these petitioners. There is contradiction in the Ledger register of the shop of the complainant and as a matter of fact, no dues is pending against the petitioners. Complaint has



been filed after inordinate delay of six years without any explanation which renders the entire prosecution case doubtful. After so many years, complainant has lodged this case with a view to extort money from the petitioners.

5. Learned counsel for the State as well as the informant oppose the prayer for bail. They submit that the complainant on SA as well as enquiry witnesses have also supported the prosecution case.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Singh, J)

