

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70921 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. LALITA DEVI W/o Manish Das @ Manish Kumar Das VILL. BANDE BISHANPUR PS. SAHPUR PATORI DIST. SAMASTIPUR
2. Manish Das @ Manish Kumar Das S/o Shivrindan Das VILL. BANDE BISHANPUR PS. SAHPUR PATORI DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP.
Mr. Abhay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 379, 406, 420, 506, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the complainant gave Rs. 3 lacs and ornaments to the petitioners with an assurance that they will return the money within three months at the time of marriage of sister of petitioner no.2, but they did not return the money and ornament to the complainant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioners are daughter-in-law and son of the



complainant, respectively. No such occurrence as alleged ever took place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The real fact is that the complainant and other family members used to brutally assault petitioner no.1 due to which she was admitted in P.H.C. Patori and thereafter, she has filed petition before S.H.O. Patori. The complainant is not ready to keep petitioner no.1 in her house and due to this reason, she has filed the present case against the petitioners only with a view to harass them and grab their property in collusion of her two other sons. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is money dispute between the family members, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned



lower Court where the case is pending/successor Court in connection with Shahpur Patori P.S. Case No. 52 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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