

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27339 of 2015

Arising out of PS.Case No. -16 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

1. Tinku @ Lal Tamatar.
2. Sursan Prasad @ Sursain Prasad
3. Jitendra Kumar..... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Bhim Sen Prasad, Advocate.

For the Opposite Party : Mr. Gopesh Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 09-09-2015 Vide order dated 20.07.2015, anticipatory bail application
of petitioner no. 1 Tinku @ Lal Tamatar has been disposed of.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection
with Bakhtiyarpur P.S. Case No. 16 of 2015 for the offences
instituted under Section 379/34 of the IPC.

The prosecution story, in brief, is that it was informed by
the villagers that the informant's brother and nephews committed
theft of sand and bricks from the informant's premises. It is also
alleged that earlier accused persons also committed theft because
there is land dispute in between them.

It has been submitted on behalf of the petitioners that the

petitioners have got no criminal antecedent. It is further submitted that there is admitted land dispute between the parties and for the said reason the petitioners have falsely been implicated in the present case. It is further submitted that the petitioners and the informant are Gotias.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 and 3, namely, Sursan Prasad @ Sursain Prasad and Jitendra Kumar, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Bakhtiyarpur P.S. Case No. 16 of 2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)