

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45215 of 2015

Arising Out of PS.Case No. -618 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
- 1. Lalbabu Sah Son of Late Sukhal Sah
 - 2. Bindeshwari Sah Son of Prahlad Sah
- Both resident of Village- Tikaita P.S. Turkaulia,
District- East Champaran.

..... Petitioner/s

Versus

- 1. The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Bhushan Pandey
For the Opposite Party/s Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 30.09.2015

Power is filed on behalf of the informant.

Supplementary affidavit is filed on behalf of the petitioners.

Heard learned counsels for the parties.

It is case of sections 427, 457 and 380 of the Indian Penal Code and accusation against the petitioners is that they along with others committed theft in the shop of the informant.

The contention on behalf of the petitioners is that there was land dispute between the parties and, as a matter of fact, one eviction suit filed by the petitioners was pending before the court and the informant lodged this case with mala fide intention.

Learned counsel appearing for the informant opposes the prayer pointing out that petitioners had already lost eviction suit and after loosing eviction suit, they committed the alleged occurrence.

Considering the aforesaid facts and circumstances as well as

submissions of the parties and also taking note of this fact that petitioners do not have any criminal antecedent, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Turkauliya P.S. Case no. 618/2015.



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(Hemant Kumar Srivastava,J)

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