

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2752 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -MALSALAMI District- PATNA

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1. Tara Devi wife of Late Rajendra Prasad
 2. Sonu Kumar Lohani son of Late Rajendra Prasad
 3. Nilam Devi wife of Jitendra Kumar
 4. Jitendra Kumar son of Sri Dawarika Prasad, All petitioners are resident of Mohalla- Bhura Gali, Khudra Patti, P.S. Malsalimi, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-01-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 448, 341, 343, 505, 427, 379 and 384/34 of the Indian Penal Code.

The prosecution case is that the informant being tenant of petitioner no.1 Tara Devi was running shop in the boundary of the petitioner but on 01.10.2015 at 11.40 AM, petitioners entered into the shop took away the articles worth Rs.3 lakhs and this was a design to getting the shop vacated.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of tenancy dispute. The informant himself admitted that he is the tenant of

petitioner no.1. The informant is neither vacating the shop in question nor making payment of rent and necessary information has been given to the concerned SDM and the present case is a design to put pressure upon the petitioners to allow the informant to continue the shop in question. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation in the background of tenancy dispute between the parties, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Patnacity in connection with Malsalami P.S. Case No. 228 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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