

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3765 of 2016

Arising Out of PS.Case No. -43 Year- 2014 Thana -GOPALPUR District- GOPALGANJ

- =====
1. Arun Rai Son of Late Nakha Rai
 2. Hani Rai @ Kumar Himanshu
 3. Soni Rai @ Kumar Sitansu @ Sunny Rai
Both Sons of Arun Rai
 4. Malti Devi @ Malti Rai W/o Arun Rai
 5. Nitu Kumari W/o Soni Rai @ Kumar Sitansu @ Sunny Rai
All residents of village - Chailwa, P.S. Gopalpur, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Smt. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 387, 379, 427, 506/34 of the Indian Penal Code.

The prosecution case is that the informant received information by his Manager through phone on 30.04.2013 Manager that all the locks of the house were broken and thereafter informant rushed to his house, when petitioners surrounded and threatened him to kill, if he will not leave the place. It is also alleged that accused persons also took away all the house hold articles.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of share dispute the accusation has been levelled. Admittedly, the informant is not an eye witness to the occurrence. For the occurrence of 30.04.2014 at 7.00 A.M. the First Information Report was lodged on 01.05.2014 at 4.00 P.M. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the omnibus and general accusation against the accused persons and coupled with the fact that the accusation has been levelled in the background of share dispute, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalpur P.S. Case No. 43 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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