

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8676 of 2016

Arising Out of PS.Case No. -326 Year- 2014 Thana -PIRBAHOR District- PATNA

1. Gautam Kumar Trivedi @ Gautam Kumar Sandilya

2. Govind Trivedi@Govind kumar Sandilya

Both S/o late Narendra Deo Trivedi Resident of Village - Bihari sao,

Lane P.S. Pirbahore, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagmani Kumar

For the Opposite Party/s : Mr. Rina Sinha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 23-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 448, 323 and 380/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter-in-law and son came on the eve of Dipawali the petitioners came variously armed and started assaulting the

informant and her daughter-in-law with the butt of the pistol and iron rod. The accused persons robbed ornaments worth Rs.5,00,000/- and cash of Rs.14,000/-.

It is submitted by learned counsel for the petitioners that the petitioners are the step grand sons of the informant and the grand father of the petitioners gifted some land to their grand mother. Thereafter grand mother of the petitioners died and her husband solemnized marriage with the informant and there is dispute for partition between the descendents of informant and descendents of grand mother of the petitioners. The lands in question were mutated in favour of the petitioners' side and in that background the accusation has been levelled. The petitioners are accused in one other case in which they are on bail.

Considering the accusation being levelled in the background of serious land 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 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, Patna in connection with Pirbahore P.S. Case No.

326 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing affidavit that the petitioners are on bail in Pirbahore P.S. Case No. 220 of 2012, but if it is found that the petitioners are not on bail in the earlier case in that event the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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