

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7404 of 2016

Arising Out of PS.Case No. -514 Year- 2015 Thana -BARACHATTI District- GAYA

- =====
1. Devan Prasad
 2. Vijoy Prasad
 3. Alok Prasad
 4. Santosh Prasad
 5. Guddu Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-02-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 147, 323, 427, 436, 448, 504, 506 and 379 of the Indian Penal Code.

The prosecution case is that on protest being made for constructing house on the land of informant, the accused persons set the house of informant on fire and assaulted the informant. It is alleged that petitioner No.2 snatched silver locket from the wife of informant.

It is submitted by the learned counsel for the petitioners that petitioners are agnates of the informant and in the background of land dispute the accusation has been levelled. Statement has been made in paragraph 10 of the petition that house of informant was not sent on fire, which reads thus:-

“10. It is humbly stated that there was no occurrence happened of set fire in house of the informant or snatching the silver chain, the entire allegation is false and fabricated.”

Statement has been in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sherghati, Gaya in connection with Barachatty P.S. Case No. 514/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that house of informant was not set on fire but if it is found that house of informant was set on fire then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

BKS/-

U		T	
---	--	---	--