

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10608 of 2016

Arising Out of PS.Case No. -112 Year- 2015 Thana -HATHAURI District- MUZAFFARPUR

1. Ram Babu Sahani S/o Dibu Sahani,
2. Chulhiya Devi @ Chuliya Devi, W/o Ram Babu Sahani,
Both resident of Village - Loma, P.S. - Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2016

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 406, 420, 341, 323, 504 of the Indian Penal Code.

The prosecution case is that the petitioner no. 1 Ram Babu Sahni is the own brother of the informant, whereas petitioner no. 2 is the wife of petitioner no. 1. The accused persons took Rs. 70,000/- for the heart surgery of petitioner no. 1. Subsequently, the informant gave gold chain to be kept as mortgage for purchase of motorcycle of her son, but the petitioners filed a criminal case against the son of the informant, with accusation of theft of motorcycle of the petitioners leading to seizure of motorcycle.

It is submitted by the learned counsel for the petitioners that there is no proof with regard to payment by the informant and due to property dispute accusation has been levelled. The case lodged by the petitioners' side is at earlier point of time. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 Sub-Judge 10-cum-A.C.J.M., Muzaffarpur in connection with Hathauri P.S. Case No. 112 of 2015, arising out of Complaint Case No. 3028 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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