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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10662 of 2016

Arising Out of PS.Case No. -239 Year- 2015 Thana -BARAULI District- GOPALGANJ

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1. Shri Ram Prasad, S/o Late Ramashray Prasad
2. Sitesh Prasad, S/o Late Rajendra Prasad

Both are resident of Barauli Bazar, Ward No.6, P.S.- Barauli, distt- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rakesh Kumar Shrivastava
For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners being the brother and nephew of the husband of the victim lady are apprehending their arrest in connection with Brauli P.S. Case No. 239 of 2015 registered for the offences punishable under Sections 341, 323, 307, 427, 504 and 34 of the Indian Panel Code.

Learned counsel for the petitioners submits that the petitioners are own brothers of husband of the informant and have been implicated only because of the share demanded in the land dispute which had occurred in her family. The occurrence alleged to have taken place does not indicate any specific allegation against these two petitioners. The

only allegation made out in the F.I.R. is that the Petitioner No. 1 had come with the gallon of kerosene which was taken over by one Sanjay Prasad. So far as the petitioner No. 2 is concerned, it is alleged that he has given match box.

Considering that there is no further cogent material in the case diary to support the allegations as against these two petitioners and also because they have no criminal antecedent, let the petitioners, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Brauli P.S. Case No. 239 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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