

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36505 of 2016

Arising Out of PS.Case No. -165 Year- 2016 Thana -DUMRAUN District- BUXAR

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Gopal Ji Tripathi, Son of Late Basudeo Tripathi, resident of Village-
Nandan, P.S.- Dumraon, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Dumraon P.S. Case No. 165 of 2016 registered under Sections

448, 341, 323, 380 and 504/34 of the Indian Penal Code.

The allegation of informant is that after his retirement

to the post of Lacturer in family settlement in year 1997 the house

over 895 square feet on land of Plot No. 282 of Khata No. 376 in

village was allotted to him and since then he used to reside. On

11.06.2016 when he came to house then saw that petitioner along

with two persons was breaking the lock of his door. On protest, he

was assaulted by the petitioner and others through fists and slaps.

At that time, petitioner took Rs.5,000/- from the box of the

informant and other two persons took away a gas cylinder and cloths.

Learned counsel for the petitioner submits that petitioner and the informant are own brother and Title Suit No. 197 of 1998 is pending between them in the court of Sub-Judge-I, Buxar, in which, the petitioner is defendant no. 10 and the informant is plaintiff no. 3. Only to give undue pressure upon the petitioner this false case has been lodged by the informant. It is further submitted that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six 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 the Chief Judicial Magistrate, Buxar, in connection with Dumraon P.S. Case No. 165 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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