

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35018 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -GARDANIBAGH District- PATNA

- =====
1. Shyam Bihari Singh son of Late Sakaldeo Singh
 2. Anirudh Singh son of Sh. Shyam Bihari Singh
 3. Dhupendra Singh @ Dhupendra Kumar Singh son of Sh. Shyam Bihari Singh null
 4. Upendra Singh @ Upendra Kumar Singh son of Sh. Shyam Bihari Singh.
- All residents of Mohalla- Yarpur, Shivajee Path, Police Station- Gardanibagh, district- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-08-2016 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend arrest in connection with Gardanibagh P.S. Case No. 114/16 for offences alleged under Sections 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

Allegation is that petitioners along with three unknown forcibly entered the under-constructed apartment and committed loot and when protest was made by the informant petitioner nos. 2 and 3 caught him and petitioner no. 3 put pistol on his temple and threatened to kill him. Petitioner no. 1 and three others also taken away some machine tools and Rs. 12,000/- in

cash by tying the informant with the pillar.

It has been submitted by the learned counsel for the petitioners that they are innocent and being next-door neighbours have falsely been implicated in the aforesaid case. He submits that the matter relates to civil dispute, petitioner no. 1 is 70 years of age, petitioner no. 2 is Section Officer in Bihar State Power Distribution Company Ltd. and petitioner no. 3 is the Assistant in Bihar Intermediate Education Council, Patna. He further submits that all the family members have been falsely implicated in the aforesaid case, as the present case is a counter-blast to a case filed by the petitioners side against the informant side being Gardanibagh P.S. Case No. 349/15.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute and the petitioners are men of means belonging to the same family and undertake not to tamper with the evidence and cooperate with the investigation, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two

sureties of the like amount each to the satisfaction of Smt. Sangita Rani, learned Judicial Magistrate 1st Class, Patna, in connection with Gardanibagh P.S. Case No. 114/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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