

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44613 of 2015

Arising Out of PS.Case No. -168 Year- 2014 Thana -HUSAINGANJ District- SIWAN

1. Dinesh Tiwary Son of Heera Tiwary
2. Rakesh Tiwary Son of Dinesh Tiwary
3. Gaya Yadav @ Dayanand Yadav Son of Gorakh Yadav All are resident of Village Rafipur, P.S. Hussainganj, District Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Binod Kumar 2(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hussainganj P.S.Case No. 168 of 2014 registered for offences punishable under Sections 364, 365, 368/34 of the Indian Penal Code.

The prosecution case as per written report given by the informant to the S.H.O. Hussainganj P.S. alleging therein that all the named accused persons were assaulting the husband of the informant for last three days for executing sale deed in their favour and ultimately on 03.07.2014 at about 4 P.M. one co-accused

Heera Pandey called the informant's husband and since then he was traceless and his mobile phone is also switched off.

It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and have committed no offence and have been falsely implicated. It has further been submitted that the husband of the informant is involved in land Mafia and has cheated many villagers for which a number of people have lodged cases against the informant's husband bearing Complaint Case No.2628/2014 and Complaint case No. 2730/2014. It has further been submitted that even the supervision note specifies that the informant's husband belonged to the gang of land mafia and since the husband of the informant had many enemies merely on suspicion the petitioners have been made accused .

On the other hand learned A.P.P. for the State submits that the petitioners have taken away the husband of the informant, who is still traceless

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of

learned Chief Judicial Magistrate,. Siwan in connection with
Hussainganj P.S.Case No. 168 of 2014, subject to the conditions
as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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