

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47000 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

- =====
1. Gita Devi, wife of Ashok Kumar Rai @ Ashok Rai
 2. Ashok Kumar Rai @ Ashok Rai, son of Ram Nandan Rai
- Both resident of Village- Dhum Nagar Bakhari,
P.S.- Baruraj, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-11-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Baruraj P.S. Case No.90 of 2016 for allegedly having committed the offences under Sections 341, 447, 323, 379 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that there was dispute between the parties with regard to partition of the ancestral property and the F.I.R. has been lodged as an afterthought only at the instance of the mischievous co-villagers. It is further submitted that no occurrence worth the name took place.

Taking into consideration the relationship between the parties and that there is an unusual delay in filing the present F.I.R. and also because the petitioners have no criminal antecedents, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Sri Amit Kumar Tiwary, learned Judicial Magistrate 1st Class, Muzaffarpur or his successor in office, in connection with Baruraj P.S. Case No.90 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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