

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42927 of 2017

Arising Out of PS. Case No.-80 Year-2017 Thana- GAURICHAK District- Patna

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1. Praveen Kumar Singh @ Pravin Kumar, Son of Ramanuj Singh,
 2. Alakh Kumar Singh Son of Late Suraj Lal Singh,
 3. Ramanuj Singh Son of Late Suraj Lal Singh,
- All R/o Village- Ballipur, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha
For the State	:	Mr. Anuj Kumar Srivastava
For the Informant	:	Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-09-2017 Heard learned Counsel for the petitioners, learned Counsel appearing on behalf of the informant and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Gaurichak Police Station Case No. 80 of 2017, disclosing offences under Sections 380/506/34 of the Indian Penal Code.

On perusal of the First Information Report, other materials on record and the order passed by the learned Sessions Judge, Patna, refusing to consider the petitioners' anticipatory bail application, I notice that there is dispute between the informant and the accused persons over immovable property.

Learned Counsel appearing on behalf of the informant



and learned Additional Public Prosecutor representing the State have vehemently argued, referring to the finding of the learned Sessions Judge, Patna, that the Court below has found the statement of affidavit to be false inasmuch as the genealogy, as supplied by the petitioners before the Court below, has been found to be incorrect.

Such dispute, in my view, could not have been the basis for rejection of anticipatory bail.

It is alleged against the petitioners that they committed theft in the residential house of the informant when she was absent. The parties belong to the same family.

Considering the above facts, in my view, a case for grant of privilege of anticipatory bail is made out.

This application is, accordingly, allowed.

Let the petitioners, namely, Praveen Kumar Singh @ Pravin Kumar, Alakh Kumar Singh and Ramanuj Singh, 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) each with two sureties of the like amount each to the satisfaction of Sri Anant Kumar, Judicial Magistrate, 1st Class, Patna City, Patna, in connection with Gaurichak Police Station Case No. 80 of



2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court below on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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