

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47177 of 2017

Arising Out of P.S.Case No. -149 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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1. Balmukund Jee @ Balmukund Giri S/o Mahanthe Vijay Shankar Giri, Resident of Bari Patandevi Mandir, at present Bajrangpuri, P.S. Alamganj, District- Patna.
 2. Aditaya Giri S/o Mahanthe Vijay Shankar Giri, permanent Resident of Bari Patan Devi Mandir, P.S. Alamganj, District Patna at present residing at Mohalla Kharunia P.S. Bypass, District Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Ms. Shruti Sinha, Advocate

For the Opposite Party : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 17-10-2017

Heard.

2. Both the petitioners are apprehending arrest in connection with Rajeev Nagar P.S.Case No.149 of 2017 registered for an offence under Section 395 of the IPC.

3. The informant of this case happens to be an Advocate and in his written report he has alleged that 10-12 unknown miscreants entered into his house by breaking the door and committed dacoity in his house on the point of gun. He has raised suspicion against these petitioners.

4. It has been submitted that the petitioners are brother-in-law of the informant having litigation since before. Learned counsel in support of his contention had filed copy of the



petition of Domestic Violence Case No.10 of 2016 and ordersheet of Domestic Violence Case No.24 of 2015. Both the cases were filed by the wives of both the petitioners against the present informant and others much before the lodging of the present case. The informant and his wife have been impleaded as party to the said Domestic Violence cases besides that the father of these petitioners had filed Alamganj P.S.Case No.198 of 2016 against the present petitioners. It appears that a property dispute is going on between the family members of these petitioners. There is no antecedent against the petitioners except their property dispute.

5. Considering the nature of allegation facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender within a period of six weeks from today on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-III, Patna in connection with Rajiv Nagar P.S.Case No.149 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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