

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38508 of 2017

Arising Out of PS.Case No. -180 Year- 2017 Thana -KHIJARSARAI District- GAYA

- =====
1. Banti Kumar S/o Mithilesh Kumar resident of at & P.S.- Khizarsarai, District Gaya.
 2. Ramkali Devi W/o Banti Kumar resident of at & P.S.- Khizarsarai, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Khijarsarai P.S. Case No. 180 of 2017 instituted for the offence under Sections-452, 386, 379, 506, 504/34 of the Indian Penal Code.

It has been submitted on behalf of petitioners that it is a matter of family dispute for property. Petitioners are son and daughter-in-law of the informant. The petitioner No. 1 has also filed a case against his brother Kishan Kumar and father, Mithilesh Prasad vide Khizarsarai P.S. Case No. 109 of 2017. In the instant case, there is general and omnibus allegation that both these petitioners gave threat to the informant at the point of pistol and made demand of Rs. 5,00,000/- and also pushed the informant and ousted him from the house.

In the facts and circumstances of the case, prayer for



anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Khijarsarai P.S. Case No. 180 of 2017 to the satisfaction of Shri D.K. Pradhan, learned Additional Chief Judicial Magistrate-VIII, Gaya subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

A.K.V./-

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