

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2353 of 2017

Arising Out of PS.Case No. -360 Year- 2006 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Shyam Bihari Pandey @ Mantu @ Mintu Pandey, S/o Badshah Pandey.
2. Asmita Devi, W/o Shyam Bihari Pandey @ Mantu @ Pintu Pandey,
Both residents of Chhotka More, P.S. Sasaram, Muffasil, District- Rohtas.
A present Mohalla- Near Chaturbhuj Market Gaurakshini, Sasaram, P.S.-
Sasaram, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate.

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Sasaram Town P.S. Case No. 360 of 2006 registered under
Sections 448, 427, 380 and 506/34 of the Indian Penal Code.

The accusation is that informant has two flats at
Sasaram, out of which, one flat was being used by her daughter,
Sabitri Devi and other flat was being used by her. In connection
with her treatment, she had gone to Buxar then petitioners forcibly
entered in her flat by breaking the lock of the gate in spite of
protest made by her daughter, Sabitri Devi.

Learned counsel for the petitioners submits that, in



fact, petitioner nos. 1 and 2 are husband and wife and petitioner no. 1 is also nephew of the husband of the informant and due to property dispute the present case has been lodged with false allegation of entering in the flat of the informant by breaking the lock of the door. Further submission is that while Title Partition Suit No.373 of 2016 has been filed by Narmedeshwar Pandey, uncle of the petitioner no. 1, against the informant of the present case and others, which is pending in the court of Sub-Judge-I, Rohtas at Sasaram but only to give undue pressure the present case has been lodged.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below 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 the Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram Town P.S. Case No. 360 of 2006, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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