

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3256 of 2017

Arising Out of PS.Case No. -314 Year- 2015 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Dhirendra Baitha, Son of: Late Yogendra Baitha,
 2. Gita Bharti, Wife of: Dhirendra Baitha, Both Residents of Village:
Bairiya, P.S. Bairiya, District: West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 09-02-2017 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in connection with
Bairiya P.S. Case No. 314 of 2015 registered under sections 406,
427, 341, 323, 379 and 504/34 of the Indian Penal Code.

The allegation is that there was partition of house in
between the informant's husband and the petitioner no. 1 who are
full brothers and the petitioners as per terms of partition required
to get possession of the house but they forcibly occupied the house
and committed theft of house hold articles worth Rs. two lakhs.

It is submitted that informant's husband and petitioner
no. 1 are brothers and due to partition dispute falsely implicated in
the case and petitioners have no criminal antecedent.

Having considered the said facts and circumstances, in the
event of arrest/surrender within four weeks from the date of



receipt of this order to the court concerned, let the petitioners, namely, Dhirendra Baitha and Gita Bharti be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 314 of 2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Arun Kumar, J)

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