

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32605 of 2018

Arising Out of PS.Case No. -370 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Vikash Tiwary, Son of Late Suman Tiwary,
2. Subham Tiwary, Son of Late Suman Tiwary, Both resident of Mohalla-
Parmeshwary Dayal Lane Mahendru, P.S.- Pirbahore, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saroj Devi, Wife of Manish Giri, Daughter of Shiv Narain Tiwary,
Resident of Mohalla- Parmeshwary Dayal Lane, Mahendru P.S.- Pirbahore,
Dist- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complain Case No.370 of 2017 , registered for offences punishable under Sections 341, 323, 354B, 427, 448, 380, 504/34 of the Indian Penal Code.

Allegation against the petitioners is that they entered inside the house of the complainant and misbehaved with him and theft some articles.

Submission of the learned counsel for the petitioners is that both the informant and petitioners are cousin and there is land dispute between the parties and they have been falsely implicated



in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Ratneshwar Kumar Singh, Sub Judge-XII-cum-ACJM, Patna in connection with Compalin Case No.370 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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