

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40500 of 2018

Arising Out of PS.Case No. -403 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Rohit Patel
 2. Mohit Patel
- Both are sons of Ramanand Patel @ Kameshwar Prasad, resident of Village- Chargaha, P.S.- Bettiah Muffasil, District- West Champaran.
3. Achchelal Sah, Son of Paras Sah resident of Village- Barwat Pas-rain, P.S.- Bettiah Muffasil, District- West Champaran.
 4. Dharmendra Patel, Son of Triveni Patel, resident of Village- Baswariya, P.S.- Bettiah Town, District- West Champaran.
 5. Ganesh Sah, Son of Chaged Sah, resident of Village- Banwatola, P.S.- Bettiah Mufasil, District- West Champaran.
 6. Sanjay Patel.
 7. Manjay Patel
- Both are sons of Tola Patel, resident of Village- Barwat Pas-rain, P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate.
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bettiah Muffasil P.S. Case No. 403 of 2016** instituted for the offence under Sections 448 and 380/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that informant is tenant in the house of petitioner Nos. 1 and 2. He has lodged the instant case to put pressure on the informant. The other



petitioners are co-villagers. The informant has alleged that when she had gone to Darbhanga for treatment of her son, the accused persons as mentioned in the written report after breaking open the lock, committed theft of household articles.

From the written report it appears that mere suspicion has been raised against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bettiah Muffasil P.S. Case No. 403 of 2016, Trial No. 2622 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **Shri Kumud Ranjan, learned Judicial Magistrate, 1st Class, West Champaran, Bettiah**, subject to the conditions as laid down under Section 438 (2) 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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