

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.441 of 2018

Arising Out of PS.Case No. -192 Year- 2016 Thana -ATHMALGOLA District- PATNA

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Bhola Roy, Son of Nokha Rai, Resident of Village- Ganjpar, P.S.
Athmalgola, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 16-01-2018 Heard both sides.

The petitioner apprehends his arrest in Athmalgola P.S.
Case No.192 of 2016 registered under Sections 452, 341, 323,
354(B), 363, 379, 427, 504/34 of the Indian Penal Code.

The informant alleged that on account of flood, she along
with her children had gone to her paternal house. When she
returned with her children on 15.10.2016, she found the household
articles of her house were missing. On enquiry, she came to
know, Bhola Rai, the petitioner took away the different articles of
her house. The petitioner is further alleged to have made an
attempt to kidnap the daughter of the informant.

The learned counsel for the petitioner submits that in fact
the husband of the informant executed a sale deed, Annexure '2'



with regard to the house, But with ulterior motive the informant has lodged the case on 16.10.2016 with false allegations of removing her household article by the petitioners.

Similarly, situated Vijay Rai have already been enlarged anticipatory vide order dated 6.9.2017 passed in Cr. Misc. No.24601 of 2017, the case of the petitioner stand on the same footing.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that the case of the petitioner stands on same footing, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No.192 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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