

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35167 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. DHARMENDRA PRASAD, Male, aged about 30 years, S/o Yogindra Prasad R/o village- Theha Supauli, P.S.- Sidhwalia, District- Gopalganj
2. Rabindra Singh, Male, aged about 46 years, S/o Late Vishwanath Singh R/o village- Theha Supauli, P.S.- Sidhwalia, District- Gopalganj
3. Sonu Singh, Male, aged about 28 years, S/o Vishwanath Singh R/o village- Theha Supauli, P.S.- Sidhwalia, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

The prosecution case in short is that petitioners committed theft of ornaments, clothes and mobile from the house of the informant.

The contention of the petitioners is that admittedly land dispute is going on between the parties and one Title Suit No.69 of 2018 is pending before the court of Munsif,



Gopalganj. Petitioner nos.2 and 3 are full brothers and petitioner no.1 is cousin of petitioner nos.2 and 3. It is further submitted that nothing has been recovered from the possession of the petitioners and only on suspicion petitioners have been named in this case. There is no eye witness of the alleged occurrence. Petitioners have got clean criminal antecedent.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 6th, Gopalganj/successor Court in connection with Sidhwalia P.S. Case No. 52 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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