

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35674 of 2021

Arising Out of PS. Case No.-611 Year-2020 Thana- CHANPATIA District- West Champaran

1. PRABODH PRASAD @ BHOLA PRASAD Son of Late Sheo Kumar Prasad Resident of Ghusukpur, Kalibagh, Police Station - Kalibagh (O.P.), District - West Champaran.
2. NISHANT KUMAR Son of Prabodh Prasad @ Bhola Prasad Resident of Ghusukpur, Kalibagh, Police Station - Kalibagh (O.P.), District - West Champaran.
3. GOLU KUMAR @ UMANG RAJ Son of Prabodh Prasad @ Bhola Prasad Resident of Ghusukpur, Kalibagh, Police Station - Kalibagh (O.P.), District - West Champaran.
4. SABITA DEVI Wife of Nishant Kumar Resident of Ghusukpur, Kalibagh, Police Station - Kalibagh (O.P.), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy, Advocate
For the Opposite Party/s : Mr.Alok Kumar Alok, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

Learned counsel for the petitioners seeks permission
of the Court to withdraw the present application in respect of
petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.



The application is dismissed as withdrawn in respect of petitioner no. 1.

The petitioner nos. 2 to 4 are apprehending their arrest in a case registered under Sections 341, 323, 354(B), 327, 379, 504, 385, 506/34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons including the petitioners stole household articles of the informant and took illegal possession of her house and also demanded extortion.

It has been submitted on behalf of the petitioner nos. 2 to 4 that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioner nos. 2 to 4 have falsely been implicated in the present case. The informant is own sister of the petitioner no. 1. Due to property dispute, the present case has been instituted. The offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner nos. 2 to 4 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 to 4, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 611/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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