

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74687 of 2023

Arising Out of PS. Case No.-211 Year-2021 Thana- SISWAN District- Siwan

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1. VIJESH SAH S/O LATE CHHOTMAL SAH R/O VILL- CHHOTKI GHURAPALI, PS-RASULPUR, DIST-CHAPRA
 2. MITHLESH SAH S/O LATE CHHOTMAL SAH R/O VILL- CHHOTKI GHURAPALI, PS-RASULPUR, DIST-CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Siwan Police Station Case No. 211 of 2021, dated 08.08.2021, disclosing offences under Section 379 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 04.08.2021, in the night, the tractor of the informant, bearing Reg. No. BR29-GA4713, was forcibly taken away from her door by her relatives, namely, Vijesh Sah and Mithlesh Sah, who are the petitioners.
4. Learned Counsel for the petitioners submits that the



petitioners have falsely been implicated in the present case due to matrimonial dispute between the sister of the petitioners and her husband, namely, Guddu Kumar Sah. He next submits that the sister of the petitioners, namely, Nikki Devi, has been married to Guddu Kumar Sah, who is brother-in-law of the informant. The petitioners have denied that the tractor has been stolen by them, rather the same has been sold by the informant to someone else and the petitioners have falsely been implicated in this case.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the matrimonial dispute between the sister of the petitioners and informant's brother-in-law, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan, in connection with Siwan Police Station Case No. 211 of 2021, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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