

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45800 of 2014

Arising Out of PS.Case No. -2205 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Suresh Rai @ Suresh Yadav Son of Late Narain Rai Resident of village- Kaushal Chak, P.S.- Gauri Chak, in the District of Patna
 2. Pappu Yadav Son of Sri Jagat Rai Sona Gopalpur, P.S.- Gopalpur, in the District of Patna

.... Petitioners

Versus

1. The State of Bihar
2. Lakhan Ram Son of Mingeshwar Ram resident of Sanjay Gandhi Nagar, P.S.- kankarbagh, in the town and District of Patna

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Prabhu Narayan Sharma, Advocate
For the State : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 24-12-2014

Heard learned counsels for the petitioners and
the State.

The petitioners are apprehending their arrest in
a complaint case in which processes have been directed to be
issued after cognizance being taken for the offences punishable
under Sections 386 of the Indian Penal Code and 3(1) (x) of
SC/ST (Prevention of Atrocities) Act.

It is alleged that the accused persons including
the petitioners were putting pillars on the purchased land of the
complainant and when it was objected, then the complainant was
abused, threatened and extortion of Rs.10,00,000/- was demanded.

It is submitted by learned senior counsel for the

petitioners that the land was purchased by the neighbours of the petitioners in 1967 from the grand father of the vendor of the complainant whereas the complainant purchased the same land in March, 2010. For the initial occurrence of 2012 the complaint was filed in 2013 and even assuming the accusation no offence under Section 386 of the IPC is made out and the accusation under SC/ST Act has been levelled just to make the accusation serious.

A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the complaint and the accusation made in the background of apparent land dispute, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna in connection with Complaint Case No. 2205C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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