

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22691 of 2015**

Arising Out of PS.Case No. -174 Year- 2015 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Nageshwar Sah Son of Late Ramashish Sah  
2. Ashok Kumar Gupta Son of Nageshwar Sah Both are resident of village  
- Amwa Tola, Siswa, P.S. Banjariya Distt. - East Champaran, at Present  
Resident of vill. - Sanichari, P.S. Banjariya, Distt. - East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      24-06-2015                      At the outset, it is submitted that petitioner no.1 has  
  
already been arrested, hence, this application has become  
  
infructuous so far as it relates to petitioner no. 1.

Heard learned counsels for the petitioner and the State.

The petitioner no. 2 is apprehending arrest in a case  
registered for the offences punishable under Sections  
147,148,149,323,447,448,427,406,420,504,379 and 120B of the  
Indian Penal Code.

It is alleged that petitioner no. 1 Nageshwar Sah sold  
3.93 decimals of land of Khata no. 03, Khesra no. 1871 in favour  
of the informant for consideration amount of Rs.3,40,000/-.

Subsequently, the land was claimed by other co-sharers. It is further alleged that the accused persons subsequently demolished the boundary wall.

Considering the thrust of accusation against petitioner no. 1 who has already been arrested, let the above named petitioner no. 2 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Turkaulia (Banjaria) P.S. Case No. 174 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Anil/-

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