

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40100 of 2014

Arising Out of PS.Case No. -173 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Ajay Kumar @ Guddu Singh Son of Late Awadhesh Singh Resident of
Village - Araj Kanchanpur, P.S. - Bidupur, District - Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.40651 of 2014

Arising Out of PS.Case No. -173 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Mukesh Kumar Singh @ Mukesh Singh @ Mukesh Kumar, Son of Late Awadhesh Singh.
 2. Saurabh Kumar, Son of Late Binod Singh, Both resident of village – Araj Kanchanpur, P.S. - Bidupur, District - Vaishali

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.40100 of 2014)

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party : Mrs. Asha Kumari (App)

(In Cr.Misc. No.40651 of 2014)

For the Petitioners : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party : Mrs. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 21-05-2015 Heard both sides.

The petitioners apprehend their arrest in Bidupur P.S. Case No. 173 of 2014, registered for the offences punishable under Sections 448, 354 and other Sections of the Indian Penal Code, Sections 3/4 of the Explosive Substances Act and Section 27 of the Arms Act.

The informant Mukesh Kumar Singh named the petitioners

and others and alleged that they having armed with different weapons came. Petitioner Ajay Kumar @ Guddu Singh demanded extortion of Rs. 50,000/- per month and they also misbehaved. Co-accused Vivek Kumar is said to have exploded bombs then Ajay Kumar @ Guddu Singh is said to have opened fire in the air.

It is submitted that the dispute is with regard to a piece of land. The land is standing in the name of Siya Devi grand mother of the petitioner Ajay Kumar @ Guddu Singh. Nilam Devi the aunt of the petitioner Ajay Kumar @ Guddu Singh executed a sale deed in favour of the mother of the informant and with regard to the same land Pramod Singh the husband of Nilam Devi and uncle of the petitioner Ajay Kumar @ Guddu Singh executed a sale deed in favour of Surendra Das in which the father of the petitioner became witness. Nilam Devi has got no right and title to execute the sale during the lifetime of her husband as the land stands in the name of Siya Devi the mother of Pramod Singh. There is a series of litigation on account of the aforesaid land dispute and the petitioners are being implicated in case after case.

Mr. Sarvesh Kumar Singh, learned counsel for the informant submits that the petitioners have got criminal antecedent and even during the pendency of this case the petitioner has committed crime and another case is lodged against the petitioner Ajay Kumar @ Guddu Singh. It has also been submitted that the petitioner has not given the full details about the cases pending against him in para-3 of the case diary.

There appears that on account of land dispute the informant and others have filed many cases against the petitioners and others. There is no specific allegation against the petitioner Mukesh Kumar Singh @ Mukesh Singh @ Mukesh Kumar and Saurabh Kumar and the only allegation is against Ajay Kumar @ Guddu Singh is that he opened fire in the air, but nobody was injured.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in Bidupur P.S. Case No. 173 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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