

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51747 of 2014

Arising Out of PS.Case No. -872 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EAST CHAMPARAN(MOTIHARI)

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1. Lallan Rai
2. Upendra Prasad Yadav
3. Sikandar Prasad Yadav @Sikindra Prasad @ Sikindra Pd. Yadav Son of Late Bishun Rai
4. Ramakant Prasad Yadav
5. Umakant Prasad Yadav @ Uma Kant Prasad
6. Shyamakant Prasad Yadav Son of Munilal Rai
7. Most. Suraji Kuer, Wife of Jiyalal Rai,
All resident of Village - Bankatwa, P.S. - Ghorasahan , at present P.S.- Jitna, District - East Champaran at Motihar

.... Petitioners

Versus

1. The State of Bihar
2. Ram Ayodhya Prasad, son of Late Jay Narayan Rai, R/O
Village-Bankatwa, P.S.-Ghorasahan, Dist-East Champaran

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate
For the Opposite Party/s : Mr. M.Haque(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 21-05-2015 Heard learned counsel for the petitioners, learned counsel for the complainant and the learned counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.C-872 of 2013 for allegedly having committed the offences under Sections 467, 468, 420 and 504 of the Indian Penal Code.

Earlier, notices had been issued to O.P. No.2, who has since appeared.

After hearing learned counsel for the parties and also

learned counsel for the complainant, it appears that there is a *bona fide* land dispute between the parties for which a title suit, bearing Title Suit No.1049 of 2013, has also been filed before the court of Subordinate Judge, Motihari on 1.10.2013.

Considering the aforementioned facts and circumstances, I find that the present case is merely in the nature of civil dispute, which can well be resolved by the court of competent jurisdiction.

On the facts and circumstances stated above, let all the seven petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Shri Sudhir Singh, learned Judicial Magistrate, 1st Class, Sikrahana at Motihari, in connection with Trial No.5094 of 2014 arising out of Complaint Case No.C-872 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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