

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41540 of 2015

Arising Out of PS.Case No. -797 Year- 2014 Thana -SAHARSA District- SAHARSA

- =====
1. Chandra Kishore Sharma Son of Prit Sharma
 2. Lakhindar Sharma Son of Ravi Sharma
 3. Devendra Kumar son of Dasarath Sharma. All resident of Village-
Divari, Police Station Sonbarsa, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 09-10-2015 Heard the learned counsel for the petitioners (1)

Chandra Kishore Sharma (2) Lakhinder Sharma (3) Devendra
Kumar who apprehends their arrest in Saharsa Sadar P.S. Case
No.797 of 2014 registered for the offence punishable under
Sections 323, 341, 354, 379, 504, 506, 34 IPC. Heard the learned
A.P.P. for the State also.

According to the learned counsel for the petitioner,
there is land dispute between the parties, therefore, false story has
been concocted and falsely petitioner have been involved in the
criminal case. By the order, the Sessions Judge has already
granted anticipatory bail to the other co-accused persons whereas

the petitioner's prayer for anticipatory bail has been rejected on the ground that there is specific overact alleged against this petitioner.

From perusal of the FIR, it appears that the allegation is that while the informant was cutting paddy crops in the land, the accused persons used force and started pulling her sari and then her clothes were torn and snatched silver chain from her neck.

The learned A.P.P. objected the prayer on the ground that the petitioner No.2 and 3 have got other criminal cases.

Considering the above facts and the fact that there is land dispute between the parties and the nature of allegation, I direct that all the petitioners, named above, to surrender before the Court below within six weeks from today and on their so surrendering, the Court below is directed to release them on bail on furnishing bail bond of Rs. 5,000/- (Five Thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.797 of 2014, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure

Sanjeev/-

(Mungeshwar Sahoo, J)

U		T	
---	--	---	--