

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23912 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

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1. Shambhu Kumar Mahto @ Shambhu Mahto son of late Rajendra Mahto
 2. Nandan Kumar @ Nandan Gara son of Bhandula Gara
 3. Anshu Kumar @ Anshu Mahto son of Anand Mahto
 4. Sumit Kumar @ Sumit Mahto son of Ashok Mahto
 5. Ranjeet Kumar @ Ranjeet Mahto son of late Mahendra Mahto.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Pramod Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-06-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 384, 379 and 504/34 of the Indian Penal Code.

The accusation is of demanding extortion of Rs. 20,000/- when on the order of petitioner no.5, petitioner no.1 assaulted with the butt of the pistol on the head of the informant as a result he fell down when others assaulted with fists and slaps. It is also alleged that petitioner no.3 snatched gold chain and ₹10,000/- from the pocket of the informant and petitioner no.2 fired in the air.

It is submitted by learned counsel for the petitioners that

admittedly from the averment of the FIR, it appears that no injury was caused to the informant's side. The Partition Suit No. 107 of 2011 was pending in which the compromise was filed but before preparation of compromise decree one of the parties of the suit transferred some of the land in favour of one Raman who transferred the same in favour of the informant which was protested by the petitioner and others and in that background, the accusation has been levelled. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation levelled in the background of land dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Bahadurpur P.S. Case No. 108 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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