

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31446 of 2015

Arising Out of PS.Case No. -94 Year- 2009 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Devendra Kumar Singh @ Devendra Singh Son of Shankar Singh,
2. Chhotan Singh, Son of Parma Nand Singh, Both resident of village -
Mathea, P.S. - Kesariya, District - East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. U.L.Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-08-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 341, 323,
384, 447 and 504/34 of the Indian Penal Code.

It is alleged that the accused persons including the
petitioners came to the rice mill of the informant, abused and
demanded extortion of Rs. 1000/-. On protest being made co-
accused Rakesh Singh pressed the neck of the informant when the
son of the informant came to rescue then he was pushed on the
ground and thereafter petitioner no. 1 Devendra Singh took out
Rs.1400/- from the cash box.

It is submitted by learned counsel for the petitioners

that the accusation has been levelled in the background of land dispute when a proceeding under Section 188 Cr.P.C. as well as Partition Suit No. 332 of 2009 are going on between the parties and even assuming the accusation no offence under Section 384 of the Indian Penal Code is made out.

This Court is not inclined to interfere. But considering the nature of accusation levelled in the background of pending Title Suit and proceeding under Section 188 of the Cr.P.C. between the parties, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Sahebganj P.S. Case No. 94 of 2009 pending in the Court of learned Sub Divisional Judicial Magistrate, West Muzaffarpur.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J.)

Vats/-

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