

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23122 of 2014

Arising Out of PS.Case No. -276 Year- 2013 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Vimal Paswan son of Kishori Paswan
2. Chandra Bhosh Paswan @ Bhosu, Son of Dheeri Paswan Both are
resident of village Ma, P.S. Deepnagar, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Dr. M.K.Gautam, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 23-07-2015

This application under Section 438 CrPC is filed with a prayer for grant of anticipatory bail to the petitioners who are apprehending their arrest in connection with Deep Nagar PS Case No. 276 of 2013 for the offences punishable under Sections 379, 427, 504 and 506 of the Indian Penal Code.

The petitioners filed ABP No.260 of 2014 in the court of learned Sessions Judge, Nalanda. The same has been rejected through order dated 14.3.2014. Hence this application.

Heard learned counsel for the petitioners and the learned A.P.P.

The allegation against the petitioners is that they have taken away some earth from the land of the complainant/informant. It is stated that there is an agreement of sale between the parties and the dispute is purely civil in nature. This Court is of the view that arrest of the petitioners is not necessary having regard to the dispute between the parties.

Hence, this application is allowed. It is directed that in the event of arrest, the petitioners shall be released 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, Nalanda at Biharsharif, in connection with Deep Nagar PS Case No. 276 of 2013, subject to the conditions as laid down under Section 438(2) CrPC.

(L. Narasimha Reddy,CJ)

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