

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40644 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -NIMACHANDPUR District- BEGUSARAI

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1. Kishori Sahni Son of Ram Ratan Sahni Resident of Village - Chandpura, P.S. - Neemachandpur, District - Begusarai.
 2. Bambholi Singh Son of Late Ram Bahadur Singh Resident of Village - Makardani, P.S. - Barauni, at present resident of Cheria Deeh, P.S. - Neemchandpura, District - Begusarai.
 3. Tanik @ Tankirwa Sada Son of Late Fucho Sada Resident of Village - Cheria Deeh, P.S. - Neemachandpura, District - Begusarai.
 4. Raudia Sada Son of Ram Swarup Sada Resident of Village - Cheria Deeh, P.S. - Neemachandpura, District - Begusarai.
 5. Sitaram Sada Son of Ram Swarup Sadar Resident of Village - Cheria Deeh, P.S. - Neemachandpura, District - Begusarai.
 6. Ram Waran Sada son of Balgovind Sada Resident of Village - Cheria Deeh, P.S. - Neemachandpura, District - Begusarai.
 7. Gongu Sada Son of Late Bodhan Sada Resident of Village - Cheria Deeh, P.S. - Neemachandpura, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kamal

For the Opposite Party/s : Mr. Smt. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 30-11-2015

Heard both sides.

The petitioners 3,4, 6 and 7 apprehend arrest in a case registered for the offences punishable under sections 386, 427 and other allied sections of the Indian Penal Code.

This anticipatory bail application on behalf of petitioner no. 1 Kishori Sahni, petitioner no. 2 Bambholi Singh and petitioner no. 5 Sitaram Sada have already been dismissed as having become infructuous vide order dated 05.10.2015.

The informant made allegation that the petitioners and others armed with different weapons came to his field and

forcibly harvested crops causing loss of Rs.1,05,000/-.

It is submitted that the informant is son of Siyaram Singh. The land is in dispute. Smt. Chandra Devi filed title suit no. 49 of 1996. Plaintiff Chandrawati Devi sought relief for setting aside ex-parte decree in Title Suit No.70 of 1985. The plaintiff claimed the land to be of her own on the basis of the gift deed dated 21.02.1985 executed by late Godawari Devi in favour of the plaintiff. Siya Ram Singh is one of the defendants in the case and the informant of the case is son of Siya Ram Singh.

Considering the facts aforesaid, petitioner no. 3 Tanik Sada @ Tenkirwa Sada, petitioner no. 4 Raudia Sada, petitioner no. 6 Ram Waran Sada and petitioner no. 7 Gongu Sada above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged 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 Sub-divisional Judicial Magistrate, Begusarai in connection with Neema Chandpura P.S. Case No. 16 of 2015 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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