

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28548 of 2014

Arising Out of PS.Case No. -2273 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Yugal Kishore, S/o Late Dharmnath Prasad
2. Kaushal Kishore @ Ansu @ Kaushal Kishore Rahi, S/o Yugal Kishore
Both Residents of Mohalla- Naya Jan Tola, Rajendra College Crossing
(Kashi Bazar), P.S. Bhagwan Bazaar, District Saran at Chapra.

..... Petitioner/s
Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. M.K.Khare(APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-01-2015 Heard learned counsel for the petitioners and
learned counsel representing the State.

The petitioners apprehending their arrest in
connection with Complaint Case No. 2273 of 2013 registered
for the offence under Sections 323, 406, 500 and 504 of the
Indian Penal Code seek privilege of pre arrest bail.

Allegedly, the petitioners constructed their house
on purchased land of Late Shyam Narayan Lal with agreement
and condition that they would not disturb the passage
measuring 228 feet x 8 feet, but thereafter the petitioners
began to dig ditch thereon to flow drain water and on protest
they abused and assaulted with fists and slaps.

Submission is that the dispute is purely of civil

nature as has been found by the learned Sessions Judge also and as such the petitioners deserve sympathetic consideration to which the learned APP does not dispute.

In the facts and circumstances as stated above, in case of arrest or surrender before the court below within two months from the date of receipt/production of a copy of this order, the petitioners namely Yugal Kishore and Kaushal Kishore @ Ansu @ Kaushal Kishor Rahi shall be released on bail on execution of bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri P.K. Chaudhary, J.M., Ist Class, Chapra in connection with Complaint Case No. 2273 of 2013 with condition as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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