

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 31183 of 2014**

Arising out of P. S. Case No. - 171 Year - 2012 Thana - AHIAPUR District - MUZAFFARPUR

- =====
1. Chitnu Sah, son of Late Raghu Sah
  2. Mahendra Sah, son of Chitnu Sah
  3. Gonu Sah, son of Chitnu Sah, All are resident of village - Ganeshpur,  
P.S. Ahiyapur, District - Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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

2    29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioners apprehend their arrest for the offence punishable under Sections 323, 341, 506, 420, 406 and 504/34 of the Indian Penal Code.

On the basis of complaint petition this case has been registered with allegation that the petitioners cut away two trees of Kadam on 05.03.2012 and when the complainant forbade then ran for assaulting him.

Submission is that for the alleged occurrence on 05.03.2012 complaint case has been filed on 12.03.2012. The decree of Title Suit No. 215 of 1989 has been set aside in Partition Appeal No. 101 of 1996 by learned 5<sup>th</sup> Additional District Judge, Muzaffarpur but in spite of that the complainant is not ready to

obey the judgment and decree passed by the Appellate Court and lodged this false case.

Considering the land dispute between the parties, the petitioners, above named, in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 171 of 2012, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

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