

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4100 of 2016

Arising Out of PS.Case No. -224 Year- 2015 Thana -SUPAUL District- SUPAUL

- =====
1. Indu Jha S/o Late Jagdish Jha null
 2. Jibachh Kumar Jha S/o Indu Jha R/o Village- Babhani, P.S. - Supaul, Distt- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 384 and 386/34 of the Indian Penal Code.

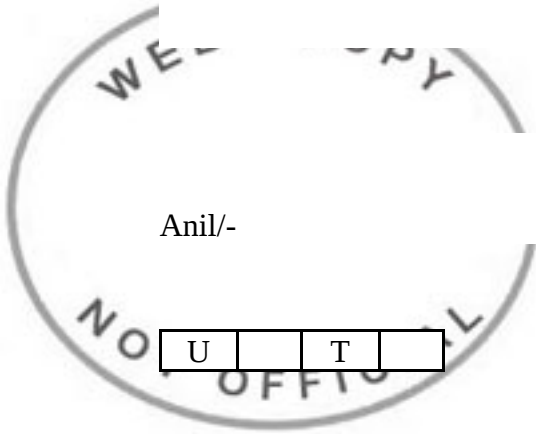
The prosecution case is that L.D.R. Case No. 83 of 2012 was decided in favour of the informant on 8.11.2012 and consequently on 18.5.2013 the measurement was done but subsequently co accused Manoj Jha and Ganesh Jha came, extracted the pillars for which a case was lodged against Ganesh Jha. In spite of order of delivery of possession in favour of the informant, Ganesh Jha and Manoj Jha did not allow the informant to take possession of the land in question as they were demanding

extortion. It is further alleged that on 15.3.2015, Ganesh Jha and others including the petitioners came and they tried to demolish the house of the informant though it was actually not demolished. Subsequently, the demand of extortion of rupees fifty thousand was made by the accused persons.

It is submitted by the learned counsel for the petitioners that for the occurrence of 15.3.2015 the FIR was registered on 19.5.2015. The thrust of accusation is against co accused Ganesh Jha and Manoj Jha and the petitioners have been roped in the present case because they are sympathizers of Ganesh Jha and Manoj Jha with whom the informant has serious land dispute. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that even assuming the accusation no offence under sections 384 and 386 IPC is made out as even as per accusation at best offence under section 385 IPC is made out which is bailable.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Supaul in connection with Supaul P.S.

Case No.224 of 2015 subject to the conditions as laid down under
Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)