

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18361 of 2016

Arising Out of PS.Case No. -211 Year- 2015 Thana -BALIA District- BEGUSARAI

- =====
1. Rahul Kumar Singh @ Rahul Kumar S/o Azadi Singh
 2. Mangal Kumar Singh Son of Nand Kishore Singh Resident of village-
Parbal tole, Nagargama, P.S Balia, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-04-2016

Petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections 147,
148, 149, 323, 307, 379/385 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case is that the informant
and others claimed to have purchased one bigha land through
registered sale deed to one Vidha Devi. It is further alleged that
when the informant was laying foundation on the land in
question then the accused persons came and demanded
extortion of Rs. 1,00,000/- and on protest being made, on the
order of co-accused Ram Pukar Singh, co-accused Mangal
Kumar, Rajeev Kumar and petitioner No. 1 Rahul Kumar
assaulted Chano Mehto, Umesh Sah and Balmiki Mahto by
lathi. When Ram Pukar Mehto came to rescue then he was
assaulted by co-accused Raja Kumar and Kunal Kumar. It is
also alleged that co-accused Azadi Singh resorted to fire in the

air, co-accused Nand Kishore Singh snatched gold chain from the neck of Umesh Sah. Co-accused Rajeev Kumar and Mangal Kumar took away cash from the pocket of Ram Pukar Mahto and Chano Mehto.

It is submitted by learned counsel for the petitioners that the land in question has been claimed by the accused persons by virtue of gift and when the informant's side lost their claim then the present case has been lodged as retaliatory measure. The injury has been found to be simple.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the accusation in the background of serious land dispute coupled with the statement in para 3 that petitioners have no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 211 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--