

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19017 of 2016

Arising Out of PS.Case No. -193 Year- 2012 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Ganesh Thakur, Son of Late Lalu Thakur
2. Premnath Sharma, Son of Sri Ganesh Thakur
3. Anil Sharma, Son of Sri Ganesh Thakur. All are residents of village -
Budhwa Champapur, P.S. Shikarpur, District - West Champaran, At Present
Mohalla - Shivganj, Narkatiaganj, P.S. Shikarpur, District - West
Champaran Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Informant : Mr. Suresh Prasad Sharma, Advocate
For the Opposite Party/s : Mr. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners, learned
Additional Public Prosecutor for the State and the learned counsel
for the informant.

This application for grant of anticipatory bail arises out
of Shikarpur P.S. Case No. 193 of 2012, disclosing offences under
Sections 406, 420, 385 and 504/34 of the Indian Penal Code.

Petitioner no. 1 is full brother of the informant, whereas
petitioner Nos. 2 and 3 are sons of petitioner No. 1.

It is submitted by learned counsel for the petitioners
that the Police upon completion of investigation submitted final
report holding it to be a civil dispute between the parties. Learned
court below has, however, taken cognizance. The petitioners,
therefore, apprehend their arrest. Learned counsel for the

petitioners has submitted that it is purely a malicious case lodged because of land dispute between the petitioners and the informant.

Learned counsel appearing on behalf of the informant has submitted that this is a land dispute.

Considering the nature of dispute, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 193 of 2012, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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