

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25502 of 2016

Arising Out of PS.Case No. -337 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Gurucharan Sharma, Son of Chunnilal Sharma, Resident of Village: Bajitpur, Sharma Tola, P.S.- Mufassil, District- Begusarai.
 2. Dashrath Yadav, Son of Late Garbhu Yadav, Resident of Village- Pahari Gachhi P.S.- Mufassil, District -Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Anil Pd.Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-08-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Muffasil (Lakho) P.S. Case No.337 of 2015 for allegedly having committed the offences under Sections 147, 149, 341, 323, 504, 379 and 386 of the Indian Penal Code.

Learned counsel for the petitioners submits that the main allegation of pointing pistol on the informant and snatching of money is on two other co-accused persons as named in the F.I.R. So far as Petitioner Nos.1 and 2 are concerned, it is alleged that they along with three others had taken away 25 bags of cement on their Bolero vehicle. Learned

counsel for the petitioners further submits that, in fact, the present case is wholly false and fabricated as it is the informant who wanted to grab the land of Petitioner No.1 Gurucharan Sharma, who had purchased the land in 1980 itself and has been in peaceful possession thereof ever since. It is, in fact, petitioner no.2 who was cultivating the land as Bataidar, but the informant having a greedy eye had started construction over it and has falsely implicated the petitioners in the present false case.

Considering the fact that there is no specific allegation against these two petitioners, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil (Lakho) P.S. Case No.337 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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