

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23207 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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1. Bijal Sah
 2. Ashok Sah Both sons of Late Sitaram Sah
 3. Sanjay Sah son of Nand Kishor Sah
 4. Lalita Devi wife of Nand Kishor Sah
 5. Renu Devi wife of Raj Kishor Sah
 6. Mala Devi wife of Ashok Sah
 7. Sujan Devi wife of Bijal Sah All are residents of village -
Madhukarchak, Parmanandpur, P.S. - Bihariganj, District - Madhepura.
- Petitioner/s

Versus

1. The State of Bihar.
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. U.S.Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-05-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 384, 387, 504, 506, 379/34 of the Indian Penal Code.

The prosecution case is that on 11.03.2016 when the informant was sitting at his under-constructed house co-accused Raj Kishor Sah along with 3-4 F.I.R named accused persons came and demanded extortion of rupees five lacs and on non-fulfilment of the extortion demand the informant was threatened to be killed or implicated in a rape case. It is further alleged that on 14.03.2016 again co-accused Raj Kishor Sah came along with 3-4 persons and repeated the demand of extortion.

It is submitted by learned counsel for the

petitioners that the accusation appears to be absurd. For the initial occurrence of 11.03.2016 the F.I.R. was registered on 16.03.2016. The actual fact is that by virtue of a decree passed in Partition Suit No. 30 of 1997 to which the petitioners and his co-sharer Domi Sah were parties, Domi Sah got 10 dhurs of land of Khata No. 260, New Khata No. 243, New Plot No. 155 situated at Murliganj town but Domi Sah, the co-sharer of the petitioners sold 12 dhurs of land more than the share allocated by virtue of a decree passed in Partition Suit No. 30 of 1997 to the father of the informant Kadam Lal Sah, hence frivolous accusation has been levelled.

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

Considering the accusation levelled in the background of land dispute, 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, Madhepura in connection with Murliganj P.S. Case No. 90 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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