

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24729 of 2016

Arising Out of PS.Case No. -401 Year- 2015 Thana -BARBIGHA District- SEKHPURA

- =====
1. Bindu Yadav Son of Charitar Yadav
2. Shalo Yadav Son of Charitar Yadav Both resident of village- Ukhadi,
P.S.- Jairampur, District- Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 11-08-2016 Heard both sides.

The petitioners apprehend their arrest in Barbigha (Mission O.P.) P.S. Case No. 401/2015, registered for the offences punishable under Sections 457, 380, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that on 13.11.2015 the petitioners entered into his house and looted away different article from his house after breaking the box.

It is submitted that the informant is an eye-witness of the occurrence. The occurrence is said to have been taken place on 13.11.2015, but the F.I.R was lodged on 18.11.2015. This fact itself shows the falsity of the case. Petitioners are neighbour of the

informant. Petitioners purchased a piece of land in the same plot in which the informant had also purchased a piece of land and that is why there is a land dispute between the parties and this false case has been lodged.

Considering the facts aforesaid and the fact that although the informant claims to be the eye-witness of the occurrence, but he lodged the case after five days of the occurrence and there is land dispute between the parties, 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate 2nd, Sheikhpura in connection with Barbigha (Mission O.P.) P.S. Case No. 401/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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