

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42130 of 2016

Arising Out of PS.Case No. -173 Year- 2012 Thana -POTHIYA District- KISANGANJ

- =====
1. Dilip Tudu Son of Som Tudu null
 2. Dulai Marandi Son of Basu Marandi
 3. Charan Hembram Son of Ramsai Hembram All are resident of Village-Shitalpur Purabdangi, Police Station- Pothia (Paharkatta) in the district of Kishanganj).
 4. Anath Bayapari @ Aunath Bayapari Son of Agneshwar Bayapari Resident of Genabari, P.S.- Islampur in the district of Uttar Dinajpur (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Pothia (Paharkatta) P. S. Case No. 173 of 2012, disclosing offences under Sections 147,148,149,379,504,506 and 153-A of the Indian Penal Code.

Allegation against the petitioners is of cutting the few trees belonging to the informant and taking away the same stealthily. It is also alleged that they took away 20 quintals of tea leaves.

Learned counsel for the petitioners has submitted that petitioners are poor people and they are living on the Government

land, whereas, the informant is a landlord and he wants to capture the said Government land and lodging of the First Information Report is a tactics adopted by the informant so that the petitioners are pressurized enough to leave the land.

Considering the above submission, this application is allowed. Let the petitioners above named, in the event of their arrest/surrender within four weeks from today in the Court below shall be released 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 learned Chief Judicial Magistrate, Kishanganj, in Pothia (Paharkatta) P. S. Case No. 173 of 2012 (G.R. No. 1329 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)

ArunKumar/-c

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