

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35562 of 2016

Arising Out of PS.Case No. -232 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Raju Mahran,
2. Ram Babu Mahran
Both sons of Baldew Mahran, resident of Village- Radhuni Dehat, P.S.-
Rajnagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable
under Sections 341, 384, 379, 506/34 of the Indian Penal
Code.

The prosecution case is that the
petitioners and other accused persons on 07.06.2015 at
11.00 A.M. came to the house of the informant and
demanded extortion of Rs. 10,00,000/-, in case of non-
payment life threatening was given and the land will be
transferred from the maternal aunt of informant. It is also
alleged that the accused persons broke the lock of the

shop and robbed articles.

It is submitted by the learned counsel for the petitioners that in the background of serious land dispute the accusation has been levelled. In fact, the petitioners purchased 11 dhurs of land from Bhawani Devi and Sita Devi, which was registered in the name of their wives in the year 2011, appertaining to plot no. 1403, 1408 situated at Ward No. 6, Bara Bazar at Madhubani. At earlier point of time the informant filed Title Suit No. 09 of 2011 wherein apart from others the vendor of the petitioners were party defendants. The said Suit got dismissed for default and has not been restored till date. The vendor of the petitioner also filed Partition Suit No. 216 of 2010 in the Court of learned Sub-Judge-I, Madhubani and the said Suit is pending. Over the purchased land the petitioners are running shops in the name and style of M/s Bajrang Jewellers and Maharan Jewellers since last 5-6 years and necessary permission have been issued by the Department of Weight and Measurement and Sales-Tax Circle of Madhubani in favour of petitioners. The occurrence has taken place on 07.06.2016 at 11.00 A.M. when the First Information Report was registered on 08.06.2016 at 10.15 A.M. and the First Information Report reached to the court of learned Chief Judicial Magistrate on 13.06.2016. The delayed

registration of the First Information Report and its reaching to the court clouds the genuineness of accusation.

Considering the accusation being made in the background of serious property dispute between the parties, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Nagar P.S. Case No. 232 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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