

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38021 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Subhash Chandra Yadav,
2. Prakash Kumar Prakash
3. Bipin Kumar Bipin @ Bipin Bihari @ Kumar Bipin Bihari, all sons of Late Rajeshwar Prasad Yadav,
4. Suman Kumar, Son of Sri Subhash Chandra Yadav.

All residents of Village- Narthua, P.S.- Alamnagar, District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar
2. Md. Sawan, S/o Md. Maksud, R/o Vill- Sapardah Tola Kelawari, P.S.- Puren, District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Alok Kumar Singh, Advocate
For the State : Mr. Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 26-09-2016 I have heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 341, 323, 354(A), 379, 427, 504 and 34 of the Indian Penal Code.

It is contended on behalf of the petitioners that genesis of this case is dispute with respect to the ownership of the khesra no.290 appertaining to khata no.317. It is urged that vide Annexure 3 the Circle Officer has accepted the claim of the

petitioners, therefore, false complaint case has been filed by the complainant. It is also contended that the date of occurrence is 02.05.2015 whereas the complaint was lodged after about 12 days on 14.05.2015 which indicates towards the same being an afterthought.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today Complaint Case No. 177/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Udakishunganj, District, Madhepura subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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