

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26589 of 2016**

Arising Out of PS.Case No. -730 Year- 2015 Thana -MOTIHARI TOWN District-  
EASTCHAMPARAN(MOTIHARI)

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1. Lalit Narayan Mishra son of Umashankar Mishra  
2. Pankaj Chaudhary son of Shashikant Chaudhary  
Both residents of Village- Madhuban Chhawani Chowk Meena Bazar, P.S.-  
Motihari Town, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar  
For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      04-07-2016                      Heard Sri Abhishek Kumar, learned counsel for the  
  
petitioners. None appeared on behalf of the State whereas Sri  
Manoj Kumar, learned counsel for the informant, has voluntarily  
appeared to oppose the prayer for anticipatory bail.

Two petitioners, apprehending their arrest in connection  
with Motihari Town P.S. Case No. 730 of 2015 registered for the  
offence under section 387 / 34 of the Indian Penal Code, have  
prayed for grant of anticipatory bail.

Learned counsel for the petitioners tried to persuade  
the court that since the dispute in respect of the land over which  
clinic of the informant is running is going on in between the  
petitioners and one Smt. Mira Devi, false case was got instituted

as per the instance of Sri Krishna Kumar, husband of Smt. Mira Devi. On this very ground he has prayed for grant of anticipatory bail whereas learned counsel for the informant opposing the prayer for bail submits that in the F.I.R. itself there is specific accusation. Besides this he submits that in paragraph no. 3 of the petition the petitioners have made incorrect statement regarding antecedent of the petitioner no. 1. He submits that petitioner no. 1 is accused in altogether six cases whereas in paragraph no. 3 disclosure of only two cases has been mentioned.

Keeping in view the fact that in the F.I.R. there is specific accusation against the petitioners, I do not find any ground to extend the privilege of anticipatory bail.

The petition stands dismissed.

**(Rakesh Kumar, J)**

Praful/-

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