

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57457 of 2015

Arising Out of PS.Case No. -321 Year- 2015 Thana -GHORASAHAN
District- EAST CHAMPARAN(MOTIHARI)

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1. Shambhu Prasad, son of Late Bhikhari Ram Chaudhari, resident of Village-Ghorasahan, P.S.-Ghorasahan, District-East Champaran.
 2. Gopal Prasad, son of Ram Deo Prasad, resident of Village-Purnahiya, P.S.-Ghorasahan, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-01-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Ghorasahan P.S. Case No.321 of 2015 for allegedly having committed the offences under Sections 420, 467, 468, 471, 472, 120B, 447, 341, 323, 504/34 of the Indian Penal Code and Section 3(1)(x) of the S.C./S.T. (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that so far as the allegations against the petitioners under the relevant provisions of the S.C./S.T. (Prevention of Atrocities) Act are concerned, they are brought in only to create a charge more

graver against the petitioners.

With regard to the other allegations, learned counsel for the petitioners submits that petitioner no.1 is the vendor of some part of the land and at best the case involved is of civil dispute in view of the fact that the parties had entered into a transaction for sale/purchase of the land and in pursuance thereof, the informant had also started construction over the land of Nageshwar Prasad. It is further submitted that since the entire amount has not been paid, said Nageshwar Prasad started demanding more money as the cost of land had escalated. Therefore, these petitioners have been roped in the present case.

Considering the nature of allegations and the matter involved is with regard to the sale and purchase of the land and the amount due is with regard to the said transaction, let 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with

Ghorasahan P.S. Case No.321 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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