

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55284 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -KHAIRA District- SARAN

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Braj Kishore Singh, son of Shri Satya Narayan Singh, resident of Village-
Pirauta, P.S.- Baniyapur, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 22-12-2016 Heard both sides.

The petitioner apprehends his arrest in Khaira (Nagara
O.P.) P.S. Case No. 56/2016, registered for the offences
punishable under Section 436 of the Indian Penal Code.

The informant alleged that she owns plot no. 971 and
972 of Khata No. 969 and she constructed a hut on the aforesaid
land, but the accused persons set ablaze the hut.

Learned counsel for the petitioner submits that there is
partition suit between the parties. Proceeding under Section 144
was initiated vide Case No. M1391/15 (annexure-4) and it was
found that the petitioner had constructed hut on the land. The
informant and her men set ablaze the hut and falsely implicated
the petitioner in this case.



Considering the facts aforesaid and the fact that there is bona fide land dispute between the parties and the petitioner also claims that the hut belongs to him, the petitioner above-named, in the event of his 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate Xth, Saran at Chapra in connection with Khaira (Nagara O.P.) P.S. Case No. 56/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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