

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15445 of 2016

Arising out of PS.Case No. -205 Year- 2014 Thana -SIMRI District- BUXAR

1. Virendra Rai.
2. Sarvjeet Rai. Both are S/o Shivjee Rai, R/o Village - Diyaman, P.S. - Krishnabarahmn, District - Buxar.
3. Vijendra Kuwar, S/o Raj Kumar Kuwar, R/o Village - Dumari, P.S. - Simari, District - Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Arvind Kumar Pradhan, Advocate.

For the Opposite Party : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Simari P.S. Case No. 205 of 2014 for the offences instituted under Sections 341, 323, 379, 384, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that the named accused persons including the petitioners came to the informant and asked to resolve the matter of land dispute between the informant and petitioner no. 2 at a Panchayati for which while he with his villager-Ram Vilash Rai was going on the alleged date and time,

allegedly they were armed on the way and assaulted, snatched motorcycle, documents of land, cash of Rs. 12,000/- and golden chain worth one Bhar by petitioner nos. 2 and 3 after putting country made *Katta*, took signature on a plain paper and also threatened with dire consequences, if the matter reported to the police.

It has been submitted on behalf of the petitioners that the petitioner no. 1 and petitioner no. 3 have got no criminal antecedent. Petitioner no. 2 was an accused in a criminal case but subsequently he has been acquitted by the trial court. From perusal of the F.I.R., it is evident that there is admitted land dispute between the parties. There is title suit also pending between the parties and the present prosecution has been instituted with an intention to falsely implicate the petitioners.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Simari P.S. Case No. 205/2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction

of the learned C.J.M., Buxar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

