

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18751 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Raghunath Tiwari Son of Late Mahadeo Tiwari,
 2. Ramesh Tiwari Son of Raghunath Tiwari Both are resident of Village Baswariya, P.S- Muffasil Motihari, Distt- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-05-2016

Petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections 147, 148, 341, 323, 385, 387, 506, 34 of the Indian Penal Code.

The prosecution case is that on 08.02.2016 at 2:00 P.M the accused persons including the petitioners and 3-4 unknown came variously armed and started constructing the hut on the land of the informant appertaining to Khata No. 9, Plot No. 135/14. On protest being made the accused persons assaulted the informant and co-accused Bablu Shukla demanded Rs. 2,00,000/- as extortion.

It is submitted by learned counsel for the petitioners that accusation has been levelled in the background of pending Title Suit No. 1005 of 2015 between the parties and at earlier point of time the daughter of the petitioner No. 1

lodged Motihari Muffasil P.S. Case No. 201 of 2015 against the informant. Hence, as a retaliatory major the present case has been lodged.

Considering the accusation being levelled in the background of pending title suit, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with Motihari Muffasil P.S. Case No. 37 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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