

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21335 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

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1. Suresh Mahto, S/o Late Ramkhelawan Mahto
2. Shyam Mahto @ Shyam Kumar Mahto, S/o Suresh Mahto
Both resident of Village- Fulwaria, P.S.- Fulwaria, District- Begusarai.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Randhir Kumar No. 1, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-07-2016

Heard both sides.

The petitioners, namely, Suresh Mahto and Shyam Mahto @ Shyam Kumar Mahto apprehend their arrest in Fulwaria P.S. Case No. 33/2016 registered under Section 386 and other sections of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that they entered into her house and at the point of pistol took away money and other articles from her house. The accused persons have also demanded extortion. It is submitted that the petitioners and the informant are co-sharers. Dhuniya Devi, one of the co-accused, and her family members filed Title Suit No. 610/15 for partition of the property but during the pendency of the partition suit, Asha Devi (the informant) started selling the land falling in her share. On account of land

dispute, this case has been lodged. Similarly situated co-accused Pappu Mahto has been granted anticipatory bail vide order dated 12.07.2016 passed in Cr. Misc. No. 27311 of 2016.

Considering the facts aforesaid and the fact that there is land dispute between the parties and the informant and the petitioners are co-sharers, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rahul Kishore, Judicial Magistrate 1st Class, Begusarai in Fulwaria P.S. Case No. 33/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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