

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35092 of 2016

Arising Out of PS.Case No. -907 Year- 2015 Thana -BIHTA District- PATNA

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1. Suresh Nonia, aged about 48 years, Son of Late Ganauri Noniya @ Ganauri Mahto Resident of Village- Shri Rampur Tola, P.S.- Bihta, District- Patna.
 2. Anant Prasad @ Sipahi jee, aged about 49 years Son of Late Vakil Prasad Resident of Village- Khadalpura, P.S.- Bihta, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUJMAR MISHRA

ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bihta P.S. Case no. 907 of 2015, registered under Sections 147, 148, 149, 341, 323, 447, 448, 379 and 427 of the Indian Penal Code.

The allegation of informant Ram Bahadur Singh is that the land of petitioner no.1 Suresh Nonia is situated adjacent to his land and after measurement, he constructed boundary on his land upon which petitioner Suresh Nonia made protest and stated that he has erected his wall beyond the measurement and made request for another measurement and stop for the

construction work. In the meantime, on 03.11.2015 in the morning, petitioner Suresh Nonia along with his brother in law, Sipahi Jee and 20 to 25 unknown persons came variously armed with and forcibly damaged the boundarywall of the informant. At that time, informant made protest then petitioner Suresh Nonia dashed him and took out Rs. 18,000/- from his pocket.

Learned counsel for the petitioners submits that, in fact, due to land dispute between the informant and the petitioners, this false case has been lodged with allegation that petitioners pushed the informant and snatched Rs. 18,000/- from his pocket.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. Danapur, in connection with Bihta P.S. Case No. 907 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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