

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27942 of 2016

Arising Out of PS.Case No. -139 Year- 2016 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Birendra Prasad Son of Late Ramnath Prasad resident of village- Konhwa,
P.S. + Distt. Gopalganj Presently residing at Shmpur, P.S. Kuchaikote
Distt. Gopalganj

2. Sachida Nand Prasad son of Late Ramtahal Prasad resident of village -
Banjari, P.O. + P.S. + Distt. Gopalganj Petitioners

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Jitendra Kumar Shrivastwa, Adv.

For the Opposite Party : Mr. Parmanand Prasad, APP 116

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 02-09-2016

Heard both the sides.

The petitioners apprehend their arrest in Gopalganj P.S. Case No. 139 of 2016 under Sections 341, 323, 447, 384, 504 and 506/34 of the Indian Penal Code.

The informant alleged that his wife owns 8 katha and 4 dhoor appertaining to Khata no. 104, CSP No. 980 in village Konhwa. The petitioners demanded one katha of land and also demanded extortion. It is alleged that in 29.03.2016 the petitioners assaulted the informant.

The learned counsel for the petitioners submits that the wife of the informant happens to be the close relative of the petitioners. There is a land dispute between the parties. The occurrence took place on 29.03.2016, but, the first information report was lodged on 02.04.2016, which shows the falsity of the case.

Considering the facts that there appears land dispute and the case was lodged only after four days of the occurrence, the petitioners, above named, in the event of their arrest or surrender,

within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with the Gopalganj P.S. Case No. 139 of 2016 to the satisfaction of the Chief Judicial Magistrate, Gopalganj, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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