

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6526 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -MORE District- DARBHANGA

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1. Pramod Kumar Diwedi, son of Hardeo Diwedi, resident of Village- Godaipatty, P.S.- Moro, District- Darbhanga.
 2. Raghvendra Kumar Choudhary, son of Kameshwar Choudhary, resident of Village- Godaipatty, P.S.- Moro, District- Darbhanga.
 3. Madhav Mishra, son of Late Ramanand Mishra, resident of Village- Basuara, P.S.- Moro, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Adv
For the Opposite Party/s : Mr. Rajiv Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 418, 420, 120B, 467, 468, 469, 471, 474, 452 and 347/34 of the Indian Penal Code.

The prosecution case is that on 07.05.2014 at 10.30 AM, all the accused persons including the petitioners in order to kill entered into the house of the informant but ultimately they confined the informant in a room. After getting released, the informant was going to inform S.P., Darbhanga, the written report was smashed by co-accused Shailendra Mishra and petitioner no.2 Raghwendra Kumar Chaudhary. It is also alleged that on

02.03.2014 informant went to his orchard then he came to know that on 21.03.2013, Laxmi Devi transferred the land of the informant through a registered sale deed in favour of Photo Devi.

It is submitted by learned counsel for the petitioners that for the initial occurrence of 07.05.2014, the FIR was registered on 05.05.2015. The sale deed was executed by the own sister of the informant namely Laxmi Devi in favour of mother of petitioner no.1 and the sale deed was executed in the year 2013 for which objection was raised after two years. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the FIR and accusation arising out of civil nature of dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Darbhanga in connection with Moro P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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