

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18603 of 2016

Arising Out of PS.Case No. -309 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Upendra Poddar, Son of Late Siya Ram Poddar
2. Manju Devi, wife of Upendra Poddar
3. Prince Kumar, son of Upendra Poddar.
All are residents of Mohalla- Polytechnic Bye Pass Road, Ward No.- 32
Shakuntala Nager, P.S.- Saharsa, District- Saharsa, Bihar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 386, 387, 448, 323, 341, 427, 506 and 379 of the Indian Penal Code.

It is contended on behalf of the petitioners that there is dispute with regard to ownership and possession of the land concerned which the petitioners have obtained from auction sale by Bihar State Finance Corporation as would be evident from Annexure-2 but the informant's side claims that land was purchased by them from BIADA. The petitioners were in possession of the land till 3.06.2014, thereafter, the possession has been taken over by the Sub-Divisional Officer. In view of such

dispute, a case was lodged by the Night-guard of the BIADA earlier also against the petitioner nos. 1 and 2 and other case was also lodged by the informant against the petitioners. Genesis of the dispute is with respect to the concerned plot.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Upendra Poddar, Manju Devi and Prince Kumar be released on bail in the event of their arrest/surrender before the court below within a period of six weeks from today in connection with Saharsa Sadar P.S. Case No.309/2014, on furnishing bail bonds of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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