

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39011 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -MAHESHKHUNT District- KHAGARIA

Jai Jairam Yadav, Son of Late Chhote Lal Yadav, Resident of village -
Madarpur, Police Station Mahesh Khunt, District Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahesh-Khut P.S. Case No. 59 of 2016 registered under Sections
420, 379, 504 and 506/34 of the Indian Penal Code.

The allegation of informant, Rajesh Sinha, is that his
more than two Bighas of land in different Khesra and Khata
situated at Mauja Tanr in front of Maheshkhut Railway Station.
On 13..07.2016, when he had gone to watch his land and saw that
the petitioner along with 10 unknown persons were cutting soil
from his land by J.C.B. machine and sending the same through
Tractor. When he made protest then he was abused. The value of
the soil is said to be worth Rs.50,000/- has been carried from the

field of the informant.

Learned counsel for the petitioner submits that the cousin of the informant has executed the power of attorney in favour of the petitioner with respect to land, in which, the soil was digging.

Learned counsel for the informant submits that, in fact, the plot, in which the soil was digging, was belonging to the informant and not the land of his cousin.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Maheshkhut P.S. Case No. 59 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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