

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26908 of 2016

Arising Out of PS.Case No. -176 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

- =====
- 1. Sidheshwar Gope son of Lekha Gope
 - 2. Dinesh Gope son of Lekha Gope Both residents of village - Patuana, P.S. - Bihar, District - Nalanda.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 01-09-2016 Heard both sides.

The petitioners apprehend their arrest in Bihar P.S. case No. 176 of 2016 under Section 307, 385 and other Sections of the Indian Penal Code and under Section 25(1-B) A, 26, 27 of the Arms Act.

The informant alleged that, while she was watching her field, 40-50 persons came and surrounded her and asked her to leave the field as they had purchased the land. The accused persons also made indiscriminate firing and demanded extortion. The informant identified the petitioners and others.

It is submitted that there is land dispute between the parties. The informant herself produced one cartridge of 8 M.M.

although indiscriminate firing is alleged to have been made. The informant named the petitioners but did not make any specific allegation of either firing or demanding extortion. A suit, being Title Suit No. 219 of 2016, with regard to the same land, is pending between the parties in the court of Sub Judge-I.

It appears that on account of land dispute this case has been lodged and no injury is caused to any one.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in Bihar P.S. Case No. 176 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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