

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37973 of 2016

Arising Out of PS.Case No. -164 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

- =====
1. Awadhesh Prasad Chaurasia, Son of Late Lakshaman Bhagat
 2. Ram Ishwar Prasad Chaurasia, Son of Late Lakshaman Bhagat
 3. Devendra Kumar @ Mukul, Son of Ram Ishwar Prasad Chaurasia
 4. Amod Prasad Chaurasia, Son of Ram Karan Prasad Chaurasia
- All are resident of Village- Balua Basanta, Police Station- Lalganj in the district of Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners	:	Mr. Sushant Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Singh, Advocate
For the informant	:	Mr. Sunil Kumar,
		Mr. Rajiv Ranjan No.II, Advocates

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-09-2016 I have heard learned counsel for the petitioners, the State and the informant.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 147, 341, 323, 384, 379 and 504 of the Indian Penal Code.

As per the allegation, the petitioners have plucked mangoes of four trees from the orchard of the informant and have threatened that they will do it again and again.

It is contended on behalf of the petitioners that in fact the deed of agreement for sale was executed by the brother of the informant and Rs.40,000/- was paid as part of consideration

money but after the death of his brother, the informant is not executing the sale deed and dispute has arisen due to that.

Learned counsel for the informant submits that the petitioners have filed a complaint case against the informant and in which they have taken a stand that since the possession was given by his brother, they have plucked the mangoes.

Per contra, learned counsel for the petitioners submits that this is pure and pure a civil dispute.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Lalganj P.S. Case No. 164 of 2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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