

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42451 of 2016

Arising Out of PS.Case No. -165 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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1.Bharat Rai @ Bharat Lal, Son of Shiv Dayal Rai, resident of Village-
Sadha, P.S.-Chapra Muffasil, District- Saran at Chapra

2. Jai Mangal Rai, Son of late Satya Narain Rai, resident of Village-
Methwaliya, P.S.-Chapra Muffasil, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 17-10-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Chapra Muffasil P.S. Case No. 165 of 2016, disclosing offences under Sections 147, 149, 323, 307, 379, 447, 427 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that lodging of the First Information Report is because of land dispute between the informant on the one hand and the petitioners No. 1 and 2 on the other. He has submitted that the petitioner No. 2 has executed a sale deed in favour of petitioner No. 1 with respect to the land, in question, over which the informant is claiming the possession. Allegedly, the occurrence took place when the informant was attempting to boundary wall around the said land.

He has, accordingly, submitted that a dispute, which is purely civil in nature between the parties, is the reason behind lodging the First Information Report.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 165 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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