

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48562 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -DANDKHORA District- KATIHAR

- =====
1. Bijay Bishwas @ Bijay Kumar Bishwas , son of Late Rupan Bishwas
 2. Anandi Bishwas son of Bijay Bishwas
 3. Jagat Bishwas @ Jamat Bishwas son of Basudeo Bishwas
 4. Gurucharan Mandal, son of Lobhan Mandal
- Petitioners no.1,2 and 4 residents of village- Tikaili, Police Station-
Dandkhora, District- Katihar, Petitioner no.3 resident of village-
Kewatiya, P.S. Pranpur, District- Katihar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Sri Lalan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-11-2016 Heard Sri Rajendra Prasad Sah, learned counsel for

the petitioners and Sri Lalan Kumar, learned Addl. Public

Prosecutor.

Four petitioners, who are none else but close
relation of the informant, have prayed for grant of anticipatory bail
in Dandkhora P.S. Case No.30/2016 registered for the offence
under Sections 147, 148, 341, 323, 436, 504, 506, 379 of the
Indian Penal Code and under Section 53(2) of Bihar Excise
(Amendment) Act, 2016.

By way of referring to the F.I.R. as well as the
impugned order dated 23.09.2016, whereby the learned Addl.



Sessions Judge has rejected the prayer for anticipatory bail of the petitioners, learned counsel for the petitioners submits that land dispute in between the parties was going on and in a trivial matter, colour of criminal offence has been given.

Besides hearing learned counsel for the parties, I have also perused the materials on record. Keeping in view the nature of accusation as well as the fact that the petitioners and the informant are close relative and there is land dispute in between the parties, let the aforesaid petitioners, namely, (i) Bijay Bishwas @ Bijay Kumar Bishwas (ii) Anandi Bishwas (iii) Jagat Bishwas @ Jamat Bishwas and (iv) Gurucharan Mandal, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Katihar in connection with Dandkhora P.S. Case No.30/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

NKS/-

U		T	
---	--	---	--

