

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5377 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Chhathu Mahto son of late Uttim Mahto
 2. Srikishun Mahto son of late Uttim Mahto
 3. Lalbabu Mahto son of Shri Chhathu Mahto
 4. Yogendra Mahto son of Shri Chhathu Mahto
 5. Anil Mahto son of Gajadhar Mahto, all are residents of village- Balua Rampurwa, P.S. Bairiya, District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 06-02-2017 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairiya P.S. Case No. 269 of 2016 registered under Sections 447, 448, 147, 148, 149, 427, 354(B), 436, 379, 504 and 506 of the Indian Penal Code.

Allegation, in brief, is that the accused persons came and started taking away the paddy and wheat and assaulted the informant and burnt the hut. The main allegation is against Anil Mahto who assaulted the informant with iron rod and this occurrence was committed due to land dispute.

The learned counsel appearing on behalf of the petitioners submitted that due to land dispute, this false case has been instituted against the petitioners and there is case and counter-case by both sides and no hut, as alleged, has been set at fire that too was not for residential purpose.

Considering the aforesaid facts and circumstances and



the admitted fact that no injury on the persons of either side and there is land dispute between the parties, so in the event of arrest or surrender in the court below within a period of four weeks from today, let the petitioners, namely, Chhathu Mahto, Srikishun Mahto, Lalbabu Mahto, Yogendra Mahto and Anil Mahto, be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Bettiah, District West Champaran, in connection with Bairiya P.S. Case No. 269 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J)

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