

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12823 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -GOH District- AURANGABAD

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1. Ajay Sharma, Son of Late Nawal Kishore Sharma, resident of Village-
Sohalpur, P.O.- Munjahara, P.S.- Goh, District- Aurangabad, Bihar.
2. Chitranjan Sharma, Son of Late. Nawal Kishore Sharma, resident of
Village- Sohalpur, P.O.- Munjahara, P.S.- Goh, District- Aurangabad,
Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate.

For the Opposite Party/s : Mr. Smt. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 24-04-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Goh P.S. Case No. 150 of 2016, registered under Sections 435 and
307/34 of the Indian Penal Code.

The allegation of informant is that, on 19.12.2016, in the
night, he was sleeping in his Khalihan. At that time, he woke up on
hearing of sound and saw that both petitioners were present in the
Khalihan and bundles of paddy were burnt. Amresh Kumar and
Dilkeshwar Das, who were sleeping with him, also woke up. At that
time, both petitioners caught hold him and tried to push in fire but
he was saved by Amresh Kumar and Dilkeshwar. The villagers
came on Hallah and extinguished the fire. Due to burn of bundles of
paddy, informant suffered loss of Rs.2,00,000/-. Earlier, petitioners



had damaged the sibling of paddy, regarding which, lodged Goh P.S. Case No. 93 of 2016 is lodged on 27.08.2016 by the informant.

Learned counsel for the petitioners submits that petitioners and the informant are nephew and uncle in relation and due to land dispute petitioners have falsely been implicated in this case.

On the other hand, learned counsel for the informant submits that the proceeding in Section 144 Cr.P.C. is decided in favour of informant in respect to land in dispute in spite of that informant was being tortured through various mode by the petitioners.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Goh P.S. Case No. 150 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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