

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10827 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -GARKHA District- SARAN

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Birendra Rai Son of Lal Bihari Rai, Resident of Village - Rampur, Police
Station- Garakha, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-03-2017 Heard both sides.

The petitioner apprehends his arrest in Garakha P.S.
Case No. 243 of 2016 registered under Section 379 and other
sections of the Indian Penal Code.

The complainant alleged that Shanti Devi was cutting
'Masuri crops in the field when the informant went there and on
protest, Shanti Devi claimed that the land is of her own. It is
alleged that the petitioner and others also came there and assaulted
the informant and others. It is also alleged that the petitioner
caught the sister of the informant and torn her clothes.

Learned counsel for the petitioner submits that a title
suit is pending between the parties. The petitioner and his family
members are the owner of the land, therefore, Shanti Devi was



cutting masuri crops in the field.

Considering the facts aforesaid and the fact that there is land dispute between the parties and a title suit is pending between the parties, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 5th Saran at Chapra in connection with Garakha P.S. Case No. 243 of 2016 corresponding to GR No. 5119 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Prabhat Kumar Jha, J)

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