

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29384 of 2017

Arising Out of PS.Case No. -4229 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Kanhaiya Sah @ Baliram Sah, S/o late Indradeo Sah
2. Bidyawati Devi @ Vidawati Devi, W/o Kanhaiya Sah
3. Laxmina Devi, W/o late Indradeo Sah
All R/o Sareya, ward No. 12, P.S. and District-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Mukul Kumar Tiwari S/o late Bharat Tiwari, R/o Kotwa, P.S & District-
Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 01-07-2017 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. 4229 of 2016 instituted for the
offences punishable under Sections 147, 148, 323, 504, 384 and
427/34 of the Indian Penal Code.

The allegation against these petitioners is that on
19.06.2016, the petitioners along with other co-accused went
over the land of the complainant which was purchased by him by
virtue of registered sale deed. The accused persons demolished
the boundary wall on the point of firearm. They threatened the
complainant to transfer the land in their favour.



The learned counsel for the petitioners submits that there is bona fide land for the demarcation of the land, which was acquired by Dr. Dhruvdeo Mali from the petitioner no. 3, namely, Laxmina Devi. The petitioner nos. 1 and 2 are sons and daughter-in-law of petitioner no. 3 who sold the land to Dr. Dhruvdeo Mali. The purchaser, namely, Dr. Dhruvdo Mali has been allowed anticipatory bail by one of the co-ordinate Bench of this Court on 23.02.2017 in Criminal Miscellaneous No. 7555 of 2017. The case of these petitioners stands on better footing. They have transferred the land and now, they have no concern with the land in question.

The learned APP, on the other hand, opposed the submission.

On perusal of the impugned order and annexures available on record, I find that one of the co-accused Dr. Dhruodeo Mali who allegedly threatened to do away with the life of the complainant has been allowed anticipatory bail in Criminal Miscellaneous No. 7555 of 2017. These petitioners are vendors of the said Dr. Dhruodeo Mali having omnibus allegation.

In the aforesaid facts and circumstances, the anticipatory bail prayer is allowed. The petitioners, above



named, in the event of arrest / surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Complaint Case No. 4229 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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