

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37859 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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1. Dinesh Singh, S/o Late Sadanand Singh.
2. Rahul Kumar Singh, S/o Dinesh Singh.
3. Sumit Kumar Jha, S/o Kailash Jha, @ Kilash Sah. All are Resident of
Village- Jotaili, P.S.- Bihariganj, District- Madhepura.... Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s Sri Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are apprehending their arrest in connection with Bihariganj P.S. Case No. 196 of 2016 registered for offences under sections 147, 148, 149, 448, 384, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

An allegation has been made that the Informant and family members have planted the banana tree, the crop was ready but, the accused persons along with 50-60 unknown persons variously armed with weapons came on the land of the Informant and looted away the entire banana crops. When the husband and her son reached there, they started firing, they have also attacked to the Informant but the Informant and her family members anyhow fled away from there.

Learned counsel for the petitioners submits that the land was belonging to Balkrishna Thakur and Gajendra Thakur and Chandramukhi Devi who happens to be wife of Radhakrishna Thakur.



Balkrishna Thakur and Gajendra Thakur have already donated the land in favour of Sri 108 Bishari Aasthan but, Chandramukhi Devi sold the entire land to the Informant. As the land belongs to Sri 108 Bishari Aasthan, they have stopped them to capture the land. He further submits that one co-accused having similar allegation, has already been granted bail by a coordinate Bench of this Court, vide order dated 24.07.2017 passed in Cr. Misc. No. 33534 of 2017 and the case of the petitioners stands on similar footing, as such, they deserve sympathetic consideration.

Looking to the entire facts and circumstances of the case, let the petitioners, namely, Dinesh Singh, Rahul Kumar Singh and Sumit Kumar Jha, in the event of their arrest or surrender before the court below within a period of four 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 Judicial Magistrate, 1st Class, Uda-Kishunganj, Madhepura in connection with Bihariganj P.S. Case No. 196 of 2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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