

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41218 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Malti Devi, wife of Late Rajdeo Paswan
2. Kapildeo Paswan, Son of Late Rajdeo Paswan
3. Bhuta Paswan, Son of Late Rajdeo Paswan
4. Mahabir Paswan @ Mahabir Kumar Paswan @ Mahabir Paswan, Son of Mohan Paswan, All are residents of Village - Bara Bariyarpur, P.S. Chhatauni, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 15-12-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chhatauni P.S. Case No. 86 of 2017, registered under Sections 447, 341, 323 and 384/34 of the Indian Penal Code.

The accusation is that, in the morning of 01.04.2017, petitioners reached at Plot No. 259, Khata No. 328, area 5 Kathas in the village Bariyarpur of informant and started to damage the boundary wall. When the informant made protest then on the order of petitioner no. 1 Malti Devi, petitioner no. 2 Kapioldeo Paswan, petitioner no. 3 Bhuta Paswan and petitioner no. 4 Mahabir



Paswan having Pistol, Nalkatua, sword and Bhuta made demand of Rs.50,00,00/- as ransom otherwise they will not allow to work on the aforesaid land. In the meantime, they assaulted the informant through fist and slaps.

Learned counsel for the petitioners submits that, in fact, the land in dispute as detailed in the F.I.R. is recorded in the Khatiyan in the name of Bansi Dusad, ancestor of the petitioners, but with ulterior motive only to grab the aforesaid land the present case has been lodged. Further submission is that petitioners have no criminal antecedent.

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, Motihari, East Champaran, in connection with Chhatauni P.S. Case No. 86 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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