

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57623 of 2017

Arising Out of PS.Case No. -243 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Kamlesh Ram, Son of Harinder Ram.
2. Mithlesh Ram, Son of Harinder Ram.
3. Malti Devi, Wife of Harinder Ram.

All residents of Village- Bhimalpur, Police Staiton- Mehsi, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 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 Mehsi P.S. Case No.243 of 2017 registered under Sections 323, 341, 353, 186, 224 and 225/34 of the Indian Penal Code.

The accusation is that the informant being the Sub Inspector of Police Station-Mehsi, instructed the Chowkidar Nagendra Rai to ascertain the presence of the F.I.R. named accused of Mehsi P.S. Case No.17 of 2017 at the house. Thereafter, the Chowkidar Nagendra Rai reached in village-Bhimalpur Harijan Toli and informed the informant on mobile that



the F.I.R. named accused Mithlesh Ram (petitioner no.2) of Mehsi P.S. Case No.17 of 2017 is at his house. After that, the informant along with other police officials proceeded for village-Bhimalpur Harijan Toli. On seeing the vehicle of the police, Mithlesh Ram (petitioner no.2) started to flee away but was apprehended by the Chowkidar Nagendra Rai. However, he got managed to set free by his father Kamlesh Ram (petitioner no.1) and mother Malti Devi (petitioner no.3) in which Chowkidar sustained slight injury.

Learned counsel for the petitioner submits that, in fact, due to land dispute of the petitioners with their pattidar, Chowkidar Nagendra Rai, who is also agnate, got managed to implicate the petitioners in the present case, while no occurrence, as alleged in the F.I.R., had taken place. Mehsi P.S. Case No.17 of 2017 is also instituted by the pattidaar of the petitioners at the instance of the Chowkidar.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Motihari, East Champaran, in connection with Mehsi P.S. Case



No.243 of 2017, subject to the conditions laid down under Section
438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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