

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57135 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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Surendra Kumar @ Sonu, Son of Late Etwari Yadav @ Etwari Prasad
Yadav, R/o Douthat, P.S.- Habibpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. A.M. Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Habibpur P.S. Case no. 76 of 2016, registered under Sections 420,
467, 468, 406, 120-B, 327, 341 and 386/34 of the Indian Penal Code.

The accusation is that 1800 sq. ft. of Khesra No. 53,
Khata No. 16 was purchased by the brother-in-law of the complainant
to the petitioner and petitioner also managed to construct the boundary
wall. Thereafter, rent receipt was being issued in the name of brother-
in-law of the complainant, when the complainant went at the land then
he found that the boundary wall was damaged by the petitioner crating
a new boundary wall covering more land. Then he made complaint on
which petitioner demanded ransom of Rs. 10,00,000/- for giving
possession over the land, while the complainant



gave information to the Police Station, but no action was taken. It is alleged that after raising the price of the land, the petitioner again captured the sold land.

Learned counsel for the petitioner submits that 1800 sq.ft. land was sold in favour of the brother-in-law of the complainant situated in village Hazishahpur and the land in which boundary wall is said be to created by the petitioner is situated in village Dautbat, which is purchased by the petitioner in the year 2014 to Randhir Sahay, both village are adjacent to each other and only to capture the land in Hazishahpur the present case has been lodged.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. XII, Bhagalpur in connection with Habibpur P.S. Case No. 76 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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