

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 53790 of 2016

Arising out of PS.Case No. -122 Year- 2016 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Vasudeo Sah, Son of Late Jamun Sah,
 2. Wakil Sah, Son of Vasudeo Sah
- Both residents of Mohalla Azad Nagar Ganj, P.S. - Bakhtiyarpur,
District Saharsa

.... Petitioners

Versus

1. The State of Bihar
2. Virendra Kumar, Son of Late Ramji Prasad, resident of Village + P.O. -
Simri Bakhtiyarpur, P.S. - Bakhtiyarpur, District - Saharsa

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Sada Nand Roy, Advocate

For the Opposite Parties : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 02-03-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 420, 467,
468 and 504/120B of the Indian Penal Code.

Allegation is that the petitioners forcefully damaged
the boundary wall of the complainant claiming that the land
belongs to the petitioners.

Submission of the petitioners is that, in fact, there is
bona fide land dispute, rather bona fide claim of the petitioners
over the referred land as the same is recorded in the name of Late
Ramu Sah, the grand-father of petitioner no. 1 Vasudeo Sah in the



survey records. After death of Ramu Sah, the same has been mutated in the name of Jamun Sah, the father of the petitioner no.1.

Considering the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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, Saharsa/Successor Court in connection with Complaint Case No. 122 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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