

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10193 of 2017

Arising Out of PS.Case No. -390 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

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1. Raman Ram Son of Faudar Ram
2. Ramaji Ram Son of Faudar Ram
3. Raju Ram Son of Madan Ram
4. Krishna Ram Son of Lalan Ram
5. Basant Ram Son of Lalan Ram
6. Bhulan Ram Son of Kanhaiya Ram
All are Resident of village- - Sabeya Harijan
Toli, P.s. Mirganj, District-Gopalganj Petitioner/s
Versus
The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer
For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017 At the very outset, it is submitted on behalf of the petitioner that the petitioner nos.1 and 3 have been apprehended, as such their prayer for anticipatory bail has become infructuous.

Heard the parties.

The rest of the petitioners are apprehending their arrest in connection with Mirganj P.S.Case No.390 of 2016 registered for offences punishable under Sections 447, 387, 379 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that they have clean antecedent and as a matter of fact there was land dispute with respect to place of occurrence, where the Poultry Farm was running by the informant and for that Title Suit No.341 of 1999



was instituted, now it is still pending. The land is recorded in the name of the ancestors of the petitioner as mentioned in the land record. It is further submitted that the falsity of the allegation will also appear from the fact that '*Rangdari*' of Rs.10 lakh had been demanded from the informant. It is further alleged that after taking a sum of Rs.2,000/- lakh, they fled away.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that there is land dispute between the parties, on which a Poultry Farm is being run by the informant and also considering the Title Suit, which is pending and the land is in the name of ancestors of the petitioners, let the petitioner nos.2, 4, 5 & 6, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Gopalganj in connection with Mirganj P.S.Case No.390 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the



case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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