

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26998 of 2017

Arising Out of PS.Case No. -117 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Chhote Singh, Son of Late Suresh Singh, resident of Mohalla-Dakbangalo Road Harnaut, P.S.- Harnaut, District- Nalanda.
 2. Dheer Singh, Son of Late Ram Ugar Singh, resident of Village-Sabnahua, P.S.- Harnaut, District- Nalanda.
 3. Sanjay Singh, Son of Late Mahendra Singh, resident of Village-Chainpur, P.S. Vena, District- Nalanda.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioners : Mr.

For the State : Mr.

For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 13-09-2017 At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of the petitioner nos.2 and 3, above named.

Permission is accorded.

This application, in respect of the petitioner nos.2 and 3, above named, is dismissed as withdrawn.

Now, only the prayer of the petitioner no.1, above named, for grant of anticipatory bail is being considered.

Heard.

The petitioner no.1, above named, apprehends his arrest in



connection with Harnaut P.S. Case No.117 of 2016 registered under Sections 447, 448, 384, 504 and 506 of the Indian Penal Code.

The accusation is that the informant Arvind Kumar purchased 10 decimals land from Sarup Singh and his son Ashok Singh and constructed the house and shops over 5 decimals land, which was forcibly occupied by the petitioners and one Neeraj Kumar. In spite of several requests, the petitioners and Neeraj Kumar were not ready to vacate the premises. Thereafter, they also abused the informant and made demand of ransom of Rs.2,00,000/- for vacating the house and shops. The further allegation is that they also threatened the informant of dire consequences in case the ransom amount is not paid.

Learned counsel appearing on behalf of the petitioner no.1, above named, submits that the petitioner no.1, above named, is the tenant of the shop and the landlord Anuj Singh has filed Title Suit No.164 of 2008 in the court of the Sub Judge-I, Biharsharif, Nalanda, in which Ashok Singh, the alleged vendee of the informant, and the informant have also been made party as defendants. In paragraph-10 of the plaint of the aforesaid suit, the plaintiffs have also stated about letting out the shops situated over the land.



On the other hand, learned counsel for the informant submits that while it is alleged in paragraph-10 of the plaint of the aforesaid suit that after constructing the shops, the same were let out but the petitioner no.1, above named, is not party in the aforesaid suit and the petitioner no.1, above named, has criminal antecedents of several cases.

Having considered the facts and the circumstances of the case, let the petitioner no.1, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Nalanda at Biharsharif, in connection with Harnaut P.S. Case No.117 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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