

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42439 of 2017**

Arising Out of PS.Case No. -333 Year- 2016 Thana -HARSIDHI District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Balister Yadav, Son of Ramgati Yadav,
  2. Chandeshwar Yadav, Son of Ramgati Yadav, Both resident of Village-  
Dhawahi, Police Station- Harsidhi, District- East Champaran.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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

**ORAL ORDER**

2      20-09-2017      Heard learned counsel for the petitioners and the learned  
A.P.P. for the State.

The petitioners apprehend their arrest in connection with  
Harsidhi P.S. Case no. 333 of 2016, registered under Sections 333,  
327, 341, 379, 384, 387, 420, 467, 468, 471 and 120(B) of the Indian  
Penal Code.

The allegation of informant Niranjan Prasad Sinha is that  
one bigha, 3 katha 14 dhur land of Khata No. 896 and 897 situated in  
village Dhawahi was in the name of his father Bishundeo Narayan  
Prasad and after his death the land was partitioned in between him and  
his brothers and his share allotted in side the road. The informant  
started filling of soil for construction of shop, then both petitioners  
came and stopped to fill soil on the pretext that they have purchased  
two katha of land to Saheb Patel and also told that if he wants to



construct the shop then he will have to pay Rs. Two lakhs as rangadari. Thereafter, informant verified the matter through Registrar office and came to know that petitioner got executed the sale deed to Saheb Patel. Thereafter, petitioners along with Saheb Patel came to the informant and on the order of Saheb Patel, both the petitioners started to abuse and snatched his golden chain also cash of Rs. 7800/- to his pocket.

Learned counsel for the petitioners submits that, in fact, Laxmi Raut brother of the Saheb purchased the disputed land to Parwati Devi, wife of Ganesh Lal. After partition two katha of land was sold in favour of the petitioner, but only to give undue pressure, the complaint Case No. 1969 of 2016, which is the basis of the present case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 333 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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