

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49486 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rangila Paswan son of Gudar Paswan,
 2. Badari Paswan,
 3. Bitan Paswan,
Both S/o Sukhadi Paswan,
 4. Rajan Sah, S/o Girdhari Sah
 5. Prabhu Paswan, S/o Budhan Paswan,
All R/o Sakhi Sema, P.S.- Palanwa, Dist- East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Palanwa P. S. Case No.76 of 2017 registered under Sections
341, 342, 323, 354-B, 386, 379, 504, 427 and 506/34 of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that the entire case is false and fabricated due to the
reason that a land dispute is going on between the parties in the
court of Sub-Judge, Motihari, East Champaran vide Civil Suit
No. 643 of 2010. It is further submitted that the petitioner no 1
had purchased the disputed land from one Chandra Mohan Jha



and the land was recorded in the *khatian* in the name of fore father of Chandra Mohan Jha and he was in possession also. However, as the petitioners purchased the land and came in possession, the informant and his family members dragged them in a civil suit and just in order to coerce them, a criminal case has also been instituted. He submitted that apart from two other cases lodged by the informant and his family members, there is no other case as against the petitioners.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari in Palanwa P. S. Case No.76 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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