

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44031 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -BANGAON District- SAHARSA

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1. Ram Lakhan Sah,
 2. Baidyanath Sah @ Biju Sah.
 3. Yogendra Pd. Sah @ Ghabri.
 4. Rajiv Ranjan @ Munna Sah @ Rajiv Ranjan Sah. All sons of Turanti Sah.
 5. Randhir Sah @ Randhir Kumar, Son of Ram Lakhan Sah, All are residents of Village- Bariyahi Bazar, Police Station- Bangaon, District- Saharsa.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satish Kumar Singh, Advocate

For the Opposite Party : Mr. Uma Shankar Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Bangaon P.S. Case No. 100 of 2016, registered for the offences punishable under Sections 379, 384, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioners cut green sisam tree from the land of the informant and after causing threats took away the wood after cutting tree in small pieces on tractor, due to settle the dispute in Panchayat delay has been caused in lodging the F.I.R.

Submission is of false implication and that there is bonafide land dispute between the parties. The occurrence is of



26.11.2016 but the F.I.R. has been lodged on 03.12.2016 after much delay without any sufficient explanation. The police after completing investigation submitted chargesheet under all bailable sections of I.P.C. but the learned court below took cognizance under Sections 379 and 384 of I.P.C. also and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that after completing investigation chargesheet has been submitted under all bailable sections and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saharsa, in connection with Bangaon P.S. Case No. 100 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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