

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14338 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -DARIYAPUR District- SARAN

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1. Nand Kishor Sah, son of Pashuram Sah,
 2. Rita Devi, W/o Nand Kishore Sah,
 3. Pashuram Sah, son of Late Sitaram Sah, All residents of Village- Banwaripur, Police Station- Dariyapur, District- Siwan.
 4. Bhagwan Singh, son of Late Devri Singh, resident of Village- Sikti, Police Station- Parsa, District- Saran.
 5. Chandrika Singh, son of Late Ram Lakhan Singh, resident of Village- Lalu Tola, Police Station- Dariyapur, District- Saran.
 6. Surendra Singh, son of Late Ram Ekbali Singh, resident of Village- Mushehari, Police Station- Dariyapur, District- Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar Srivastva, Advocate.

For the Opposite Party : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-05-2017 Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Dariyapur P.S. Case No. 07 of 2017 arising out of Complaint Case No. 3020 of 2016 for the offences punishable under sections 323, 341, 379, 420, 466, 467, 468, 471, 120 (B), 504 and 506 of the I.P.C.

Allegedly, the petitioners created a forged and illegal sale deed with respect to the land of the complainant/informant and in spite of injunction order granted the petitioners have put illegal structure and also fixed a hand pump and when the



complainant protested then they abused, assaulted and caused threats to take possession over the land forcibly.

Submission is of false implication and that the sale deed of the petitioners is of the year 2010, after purchase the petitioners are in possession, they have given shed and also fixed hand pump, the dispute appears purely of civil nature and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners have taken law in their hands inspite of the injunction order. They have gone over the land and stealthily fixed hand pump and put a shed.

In the facts and circumstances as stated above, considering that this is a case of civil nature and as such the petitioners, in case 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) each with two sureties of the like amount each to the satisfaction of. A.C.J.M-IV, Saran at Chapra in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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