

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22176 of 2017

Arising Out of PS.Case No. -512 Year- 2016 Thana -BODHGAYA District- GAYA

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1. SANJAY KUMAR SINGH @ SANJAY SINGH Son of Jagdeep Singh
2. Rahul @ Munna Son of Anil Singh
Both are resident of Village- Dema, Fatehpur, P.S. Khizarsarai, District
Gaya at Present residing at Mohalla- Sidharthpuri, Manpur, P.S. Manpur,
District- Gaya. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Sri Anish Chandra

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-06-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with Bodh
Gaya P.S. Case No. 512 of 2016 registered for the offences
punishable under Sections 147, 148, 149, 341, 457, 380, 387, 506
of the Indian Penal Code and Section 27 of the Arms Act.

On behalf of the petitioners it is submitted that earlier the
case was filed by Brij Nandan Singh the owner of Brij Nandan
Automobiles bearing Bodh Gaya P.S. Case No. 95 of 2016 for the
offence punishable under Sections 147, 148, 149, 447, 341, 323,
379, 506 of the Indian Penal Code wherein the petitioners have
already been allowed pre-arrest bail vide ABP No. 1182 of 2016
by the then learned Sessions Judge, Gaya vide annexure-2 and



thereafter, this case has been filed by the Manager of Brijanandan Automobiles for the same offence. Two parallel criminal cases have been filed only with a view to harass the petitioners and others due to land dispute in between the parties. The informant of the earlier case is the shareholder of the accused petitioner Rahul Singh and the suit was also contested between the parties vide Partition Suit No. 43 of 76 in which final decree was also prepared, a proceeding under Section 144 Cr.P.C. was also initiated between the parties due to land dispute, the allegation of theft is supper addition and as such the petitioners deserve sympathetic consideration as for the same offence the petitioners cannot be harassed again and again.

Learned APP after going through Annexure-2 and other annexures fairly submits that earlier the petitioners have been allowed pre-arrest bail and there is land dispute between the parties.

In the facts and circumstances stated above, the petitioners above named, 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 are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Gaya in connection with Bodh
Gaya P.S. Case No. 512 of 2016, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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