

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61559 of 2017

Arising Out of PS.Case No. -369 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ajay Patel @ Ajay Raut, Son of Late Adalat Patel @ Adalat Raut null
 2. Mantu Patel, Son of Murari Patel
 3. Bala Patel, Son of Murari Patel
 4. Surendra Patel @ Surendra Raut, Son of Late Adalat Patel @ Adalat Raut
 5. Mangal Patel, Son of Ramjee Patel
 6. Rajesh Patel, Son of Murari Patel
 7. Sanjay Patel, Son of Bhikhari Patel
 8. Chhotan Patel @ Chhotan Kumar, Son of Bhikhari Patel. All are resident of Village- Jagdishpur, Bankati, P.O. and P.S.- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 19-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 324, 307, 379 and 506 of the Indian Penal Code.

The prosecution case, as per the written report submitted by the informant Nathuni Ram before Officer-



in-charge, Harsidhi Police Station, is to the effect that the informant and others were given purcha for the land of Sugar Mill in 1991-92, but thereafter the influential people of the area dispossessed the informant and others, consequently a decree was issued favour of the informant side, but when they went to take the possession of the land, they were driven out from the land in question.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and admittedly no assault was made and the petitioners' side also lodged a case being Harsidhi P.S. Case No. 377 of 2016 with accusation for the offences punishable under Sections 147, 149, 323, 504 and 379 of the Indian Penal Code against the informant side. It is further submitted that the case is still under investigation. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature of accusation levelled in the background of land dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 369 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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