

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55620 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -CHAUSA District- MADHEPURA

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1. Lalita Devi @ Lalia Devi W/o Shobhakant Paswan,
2. Munni Devi @ Mundo Devi W/o Gautam Paswan,
3. Shohakant Paswan @ Shobhakant Paswan, S/o Anandi Paswan,
4. Gautam Paswan S/o Anandi Paswan, All R/o Village and P.S.- Chauda,
District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chausa P.S. Case No. 223 of 2016 instituted for the offence under Sections-379, 427, 452 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is land dispute between the parties. The land as mentioned in the written report are purchased by father of petitioner Nos. 3 & 4. During Survey operation, Khatiyan was recorded in the name of Govt. of Bihar. Title Suit No. 204 of 2011 has been filed for cancellation of the aforesaid Khatiyan in the Civil Court, Madhepura.

In the written report, it is alleged that the land was settled with the Purchadhari and pillar was fixed after measurement but these petitioners demolished the pillars and also misbehaved with the



informant who is C.O. and other officers when they went to the place of occurrence.

In this manner, there is apparently land dispute between the parties. There is general and omnibus allegation against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Chausa P.S. Case No. 223 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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