

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10281 of 2017

Arising Out of PS.Case No. -98 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Balram Sah S/o Ramji Sah Resident of Madhepura, Ward No. - 6, P.S. -
and District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Charan Yadav son of Raghunath Yadav Resident of Mahesua, Tola -
Barmottar, P.S. and District - Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha
For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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

2 15-03-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with C-98/14 registered for the offences punishable under Sections
365, 367, 368/34 of the Indian Penal Code.

Submission is of false implication and that this case
has been registered on the basis of complaint case and after due
investigation the police submitted final form but subsequently
cognizance has been taken on protest petition, the complaint
petition has been filed in the backdrop of the land dispute between
the parties in respect of Bataidari Appeal No. 31 of 2006 is



pending before Additional Collector, Madhepure. In this case similarly situated co-accused Devendra Yadav and Raj Kumar Yadav have been allowed pre-arrest bail and, as such, the petitioner also deserves sympathetic consideration.

Learned A.P.P. fairly submits that two co-accused persons have been allowed pre-arrest bail vide Criminal Miscellaneous No. 36178 of 2016 by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the 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 Judicial Magistrate-1st Class, Madhepura in connection with C-98/14 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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