

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18574 of 2017

Arising Out of PS.Case No. -86 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Ganesh Prasad, Son of Late Janak Prasad.
2. Rakesh Kumar, Son of Ganesh Prasad,
Both resident of Village Bhagwanpur Kotwa, P.S. Ghorasahan District- East
Champaran. Petitioners

Versus

The State of Bihar. ... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Madhura Nand Jha, APP (102)

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

ORAL ORDER

3 24-05-2017 Heard learned counsel for the petitioners and learned APP
representing the State.

The petitioners seek bail in connection with Ghorasahan P.S.
Case No. 86 of 2016 registered for the offences punishable under
Sections 406, 420, 448, 341, 436, 427 and 506/34 of the Indian Penal
Code.

Allegedly, the informant has given a sum of Rs. 1,05,000/- to
the petitioner no. 1 as consideration money for purchase of a piece of
land belonging to him but they refused to execute the sale deed, further
as per their direction the informant has constructed a hut thereon and
they burnt the hut burning several household articles and further they
caused threats.

Submission is of false implication and that the petitioners are
in custody since 16.10.2017. Admittedly a Title Suit No. 593 of 2013 is
going on between the parties and to put pressure the informant has



lodged this false case, other co-accused Mukesh Kumar and Sunita Devi have been allowed pre-arrest bail but the petitioners were apprehended, resulting, their pre-arrest bail was dismissed as withdrawn. The petitioners have not burnt the hut and the allegations are totally false and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that two co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named 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 Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 86 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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