

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22075 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -JAKKANPUR District- PATNA

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1. Devendra Prasad, Son of Sri Ram Das Prasad,
 2. Ajay Kumar @ Ajay Vishwakarma, Son of Sri Dharam Deo Vishwakarma @ Sri Kapil Deo Vishwakarma both are resident of Mohalla-Mithapur, P.S.- Jakkanpur, Distirct- Patna.
 3. Ram Naresh Yadav.
 4. Sanjay Yadav @ Sanjay Singh, both are Sons of Late Raj Deo Singh, resident of Village- Raghapur Diyara, P.S.- Raghapur, District- Vaishali.
 5. Suresh Prasad Rai, Son of Sri Ram Bhajan Rai, resident of Village- Raghapur Diyara, P.S.- Raghapur, District- Vaishali.
 6. Nirpendra Krishna Mahto, Son of late Govind Mahto, resident of Kannulal Road, P.S. Jakkanpur, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioners and learned counsel for the informant.

Petitioners apprehend arrest in connection with Jakkanpur P.S. Case No.25 of 2018 registered for the offences under Sections 147, 149 and 384 of the I.P.C.

It has been submitted that the petitioners are in occupation of shop room over the land which is claimed by the informant. The informant is a builder and he is adamant to oust



the petitioners from the said premises for constructing multistoried building. The informant had filed Complaint Case No.3717C of 2015 on the basis of which Jakkanpur P.S. Case No.383 of 2015 was registered. In the said case some of the petitioners were allowed anticipatory bail in Cr.Misc.No.28320 of 2016. The present case has been lodged on similar allegation of demand of ransom. The informant has no right to oust the petitioners even if the petitioners are encroachers. The informant taking law in his hand and by using unfair means with ulterior motive has lodged the case with false and frivolous allegation.

The learned counsel for the informant opposed the submissions. It has been submitted that the petitioners and the other accuseds demanded ransom and caused obstruction in construction work on account of non-payment of ransom and so they do not deserve bail.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioners in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the likewise amount each to



the satisfaction of learned A.C.J.M.-cum-Sub Judge-1st, Patna in connection with Jakkanpur P.S. Case No.25 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Kumar, J)

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