

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52875 of 2018

Arising Out of PS.Case No. -1095 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

- =====
1. Ramjee Mahto, son of Late Sheshman Mahto, resident of Village-Paroraha, Police Station- Sathi, District- West Champaran.
 2. Rakesh Kushwaha, son of Late Pakru Mahto, resident of Village-Kesharia, Police Station- Sikarpur, District- West Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Bacha Mahto, son of Late Ramawdesh Mahto, resident of Village-Paroraha, Police Station- Sathi, District- West Champaran.

.... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Archana Jha, Advocate.

For the State : Mr. Nirmal Kumar Sinha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 420, 465, 471 and 120(B) of the IPC.

The prosecution story, in brief, is that the complainant and Bipin Mahto purchased a land from Dinanath Mahto measuring area 1 Katha and 5 ¼ Dhurs land pertaining to Khata No. 46, Khesra No. 556 area 4 Dhurs. On 22.06.2016, the complainant went to start constructing the house, all the accused persons restrained him and he stated that he had already purchased



the said land on 22.04.2002 from the complainant. Accused persons produced a Panchnama/Bikrinama pertaining to Khata No. 46 and Khesra No. 556 measuring area 15 Dhurki on which signatures of witnesses Mukhlal Mahto and Baliram Mahto were available. When the complainant asked from the witnesses about their signatures they flatly refused. The complainant has suspected that the accused persons tried to make conspiracy for illegally occupying the said land and when the complainant asked not to do the wrongful act then accused persons threatened to assault and occupy the land.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The sale deed in question was executed in the year 2002 in respect to land in question. Dispute in respect to the said land is being raised when construction of house is being made on the said land by the complainant. The matter relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let



the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Bettiah, West Champaran, in connection with C.R. No. 1095 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

