

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62019 of 2018

Arising Out of PS. Case No.-171 Year-2018 Thana- ROSERA District- Samastipur

1. KAMLA KANT KUWAR @ KAMALU SINGH@KAMALKANT
[KUNWAR@KAMLU](#)

2. Vishnu Kant Kunwar alias Vishnukant Kunwar

3. Prashant Kunwar alias Vittu alias Prashant Kumar alias Prashant Kumar
Singh alias Bittu

4. Subham Kumar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Bihari Sinha

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,341,354,379,384,385,447,504/34 of the IPC.

The prosecution case as per the written report of Navin Kumar, submitted to the SHO, Rosera Police Station is to the effect that the informant's sister-in-law (bhabhi) purchased a piece of land on 15.1.2016 and Jamabandi was created in her favour. On the land in question, after constructing boundry wall, construction of house started. It is further alleged that earlier also, the accused persons demanded extortion of Rupees Five Thousand leading to registration of Rosera P.S. Case No. 267 of 2017. Subsequently, proceeding under Section 107 Cr.P.C. was



also initiated. On 18.5.2018, co-accused Amit Kumar and his father demanded extortion of Rupees Five lacs when Rupees Fifty Thousand was paid to co-accused Amit on 19.5.2018. On 21.5.2018, when the informant was getting earth filled, all the accused persons came and abused the informant and outraged the modesty of the informant's sister-in-law. It is further alleged that co-accused Amit Kumar Singh snatched a gold chain and co-accused Shubham Kumar Singh snatched money bag from the sister-in-law of the informant.

It is submitted by learned counsel for the petitioners that the whole accusation has been levelled in the background of land dispute, which gets reflected from the very narrative of the written report. It is further submitted that for the initial occurrence of 18.5.2018, the FIR was registered on 22.5.2018. Though the petitioners are accused in other cases but they are on bail in those cases.

Learned APP submits that petitioners are named in the FIR and there are specific accusation against them.

Considering the accusation levelled in the background of land dispute, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of the like amount each to the satisfaction
of the learned ACJM I, Rosera, in connection with Rosera P.S.
Case No.171 of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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