

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29387 of 2018

Arising Out of PS. Case No.-32 Year-2017 Thana- PIPRIYA SAHAYAK District- Lakhisarai

1. Ramanuh Singh @ Ramanuj Singh, S/o Late Dasrath Singh @ Daso Singh,
2. Ramchandra Singh @ Bhuttu Singh @ Guddu Singh S/o Late Brahmdeo Singh, Both are R/o Vill.- Ramchandrapur, P.S.- Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

8 09-08-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Pipariya P.S. Case No. 32 of 2017 instituted for the offence under Section(s) 341, 323, 504, 307, 434, 385, 386 and 506/34 of the Indian Penal Code.

In the written report, it is alleged that on the date of occurrence petitioners came to the land and made obstruction in cultivation of the land. They also gave threat and abused the informant and told him that they will not allow him to take possession of the land unless rangdari of Rs. five lacs is paid.

Learned counsel for the petitioner has submitted that there



is civil dispute between the parties. It is further submitted that they got the land from Bhudan Yagya Samittee in the year 1990 whereas the informant is making claim over the aforesaid land on the basis of sale deed executed in the year 2012 in his favour. This Court finds that it is a matter of purely civil dispute for which a civil remedy is available to the informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Pipariya P.S. Case No. 32 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st, Class, Lakhisarai subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of



the case, in that case, prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(Sanjay Priya, J)

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