

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27065 of 2018

Arising Out of PS. Case No.-12 Year-2016 Thana- ROUH District- Nawada

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1. Ram Nandan Singh, S/o Mahendra Singh, R/o Vill.- Shakarpura, P.S.- Akbarpur, District- Nawada.
 2. Rameshwar Singh @ Ashok Singh @ Ashok Singh, S/o Late Awadh Singh,
 3. Yaddu Singh, S/o Late Dwarik Singh,
Petitioner Nos.2 and 3 are R/o Vill.- Bhandzora, P.S.- Roh, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections
323/379/420/467/468/504/34 of the Indian Penal Code.

Initially the prosecution case got initiated with filing of
Complaint Case No.100/2015, which came to be registered as
police case being Roh P.S. Case No.12/2016, after its being
transferred under Section 156(3) of the Code of Criminal
Procedure.

It is alleged by the informant-complainant Janki Singh that
he purchased land appertaining to Khata No.58, Plot No. 1433,



admeasuring an area 8- ½ decimals from Sahjanand Singh and Ramotar Singh on 16.02.2000 and since then the informant is in possession over the said land. On 15.08.2015, when the informant was ploughing the land in question, the FIR named accused persons, including the petitioners, came being armed, forbade the informant to plough the land, when it was conveyed by co-accused Babulal Singh that he has purchased the said land in the name of his wife from the father of the informant. When the informant replied that his father has no right to transfer the said land, then Babulal Singh pointed pistol on him and snatched Rs.2000/- from his pocket and gave life threatening.

It is submitted by learned counsel for the petitioners that the petitioners are not named in the FIR. Their names subsequently sprang up during investigation, Petitioner nos. 1 and 2 are witness to the sale deed, whereas, petitioner no.3 Yaddu Singh, who is father of the informant, is executor of the sale deed. Moreover, co-accused Babulal Singh, Santosh Kumar, Sunaina Devi and Jitendra Kumar have been granted anticipatory bail vide Criminal Miscellaneous No. 13659 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.



It is submitted by Mr. J. N. Thakur, learned APP for the State that though the petitioners are not named in the FIR, but their name sprang up during investigation.

Considering the accusation arising out of civil nature of dispute, the transferee Yaddu Singh has not declined the said transfer and the co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Nawada in connection with Roh P.S. Case No.12 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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