

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16933 of 2018

Arising Out of PS. Case No.-269 Year-2017 Thana- GOPALPUR District- Patna

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1. Shiv Nandan Singh, aged about 80 years, S/o Late Jodhan Singh.
 2. Arun Singh, aged about 55 years, S/o Sri Shiv Nandan Singh.
 3. Arvind Singh, aged about 50 years, S/o Sri Shiv Nandan Singh,
All are resident of Village- Chainpur, P.S.- Gopalpur, Distt.- Patna at present resident of Village- Lodipur, Mahavir Gali, P.S.- Budha Colony, Distt.- Patna.
 4. Pramod Prasad @ Pramod Kumar aged about 45 years, S/o Late Jamuna Prasad, R/o Lodipur Mahavir Gali, P.S.- Budha Colony, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Gopalpur P. S. Case No. 269 of 2017 registered for the offences punishable under Sections 341, 323, 504, 427, 385, 379/34 of the Indian Penal Code.

Allegedly, the petitioners sprinkled poisonous substance on the masoor crop of the informant and when the informant objected, he was abused and assaulted by them. The petitioner Arvind Singh snatched the gold chain and Arun Singh



took out Rs. 10,000/- from the pocket of the informant and further they demanded ransom of Rs. 10 lakhs. The masoor crop valued at Rs. 1,00,000/- was burnt due to poisonous substance, earlier also the petitioners have burnt the wheat crops.

Submission is of false implication and that there is land dispute between the parties, Title Suits are going on, Complaint Case No. 5460 of 2017 has been filed by the petitioner no. 1 against the informant of this case and others on 23.12.2017 itself whereas this case has been lodged on 28.12.2017. The allegation under Section 379 IPC is super addition. There is bonafide land dispute between the parties and as such the petitioners deserve sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that in all the litigation between the parties, the cases were decided in favour of the informant and it is a case for demanding ransom.

In the facts and circumstances stated above, considering the pendency of the Title Suit No. 359 of 2009 and 512 of 2010, vide annexure-2 and 3, between the parties and further considering that earlier to this case the petitioner no. 1 has filed complaint case also against the informant and others, the petitioners above named, in case of their arrest or surrender



within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Patna in connection with Gopalpur P. S. Case No. 269 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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