

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33342 of 2018

Arising Out of PS. Case No.-616 Year-2017 Thana- KHAGARIA District- Khagaria

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1. Tusar Hari Dahlan @ Tusar Dahlan, Son of Gopal Krishan Dahlan @ Gopal Dahlan
 2. Purushottam Dahlan @ Purushottam Prasad Dahlan, Son of Late Narayan Prasad,
 3. Arun Dahlan @ Arun Kumar Dahlan, Son of Late Kamla Dahlan, All are resident of Village- Shivala Road, Ward No.7, P.S. and District- Khagaria.
 4. Gyani Paswan, Son of Late Baiju Paswan,
 5. Ashok Paswan, Son of Late Baiju Paswan,
 6. Shiv Darshan Paswan, Son of Bhagwan Paswan,
 7. Ajit Paswan @ Abil Paswan, Son of Sitaram Paswan,
 8. Rakesh Paswan @ Rakesh Kumar Paswan, Son of Gyani Paswan,
 9. Sanjiv Kumar @ Toni Paswan, Son of Gyani Paswan, All 4 to 9 are resident of Village- Mathurapur, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pranav Kumar Jha
For the Opposite Party/s :	Mr. Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-06-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Khagaria Town P.S.
Case no. 616 of 2017 instituted for the offence under Section(s)
147,149, 341, 323, 447, 384, 385, 504 and 506 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted that
instant case has been lodged merely on account of land dispute.



The petitioner nos. 1, 2 and 3 are owner of the land and rent receipts were also issued in their names. It is alleged in the written report that petitioners made demand of Rangdari from the informant to allow them to make construction of house over the land as alleged in the written report. It is also alleged that informant paid an amount of Rs. 1,50,000/- against the said demand and thereafter the petitioners made further demand of Rs. 8.50 lacs as Rangdari. In this manner, from the written report itself it appears that it is a matter of bonafide land between the parties.

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 Khagaria Town P.S. case no. 616 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 CJM Khagaria, 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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