

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54146 of 2018

Arising Out of PS. Case No.-233 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Bharat Rai @ Bharat Lal S/o Sri Shiv Dayal Rai, R/o Vill.- Sandha, P.S.-
Chapra Muffasil, District- Saran at chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 12-09-2018 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in connection with
Chapra Muffasil P.S. Case No. 233 of 2018 registered for the
offence punishable under sections 384, 386/34 of the Indian
Penal Code.

Learned counsel appearing for the petitioner
submits that petitioner has been falsely implicated in this case
due to admitted land dispute between the parties. The land in
question was of one Jai Mangal Rai who was in valid possession
of the aforesaid land vide Land Possession Certificate issued by
the concerned Circle Officer as contained in Annexure-2.
Petitioner purchased the aforesaid land from him vide sale deed
contained in Annexure-3. As a matter of fact, the informant and



his family members wants to grab the said land and in that connection they started some construction on the land to which the present petitioner had objected and only due to that he was made accused in another case bearing Muffasil P.S. Case No. 165 of 2016 vide Annexure-4. It is further submitted that the dispute involved between the parties is purely civil in nature for which Title Suit No. 441 of 2016 is also pending between the parties.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 233 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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