

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44889 of 2018

Arising Out of PS.Case No. -260 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN (MOTIHARI)

- =====
1. Fulmati Devi, w/o late Satyanarayan Mahto,
 2. Upendra Kumar, s/o late Satyanarayan Mahto,
 3. Mukesh Kumar, s/o late Satyanarayan Mahto, all are r/o Raxaul Ward
No. 13, P.S.-Rasaul, District-East Champaran.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Complaint
Case No. C-260/2016, instituted for the offences punishable under
Sections 147, 149, 323, 448, 380, 427, 459, 386 and 504 of the
Indian Penal Code read with Section 27 of the Arms Act.

In the complaint case, it is mentioned that earlier
Partition Suit No. 302/1997 was filed between parties before Sub-
Judge, Motihari and aforesaid case ended in compromise. The
parties came into possession of the land as per compromise. It is
alleged that different parties have also executed sale deed. Father
of the complainant had purchased 8 dhurs land from Satyanaran
Mahto and rest land was also sold to different persons. It is further



alleged that on the date of occurrence, the petitioners came to the house of informant and after abusing him made demand of Rs. 5 lacs as *Rangdari*.

Learned counsel for the petitioners has submitted that the instant case has been filed on account of property dispute between the parties.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Complaint Case No. C-260/2016, 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 learned S.D.J.M., Raxaul at Motihari, subject to the conditions as laid down under Section 438(2) of the 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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