

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60170 of 2018

Arising Out of PS. Case No.-286 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Sunil Kumar , son of Gama Sah,
 2. Rajesh Sah, son of Bhukhal Sah,
- Both Resident of village- Donwar, P.S.- Yogapatti
(Shanichari), District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-09-2018 Heard Sri Sanjeev Kumar Shrivastava, learned
counsel for the petitioners and Sri Ganesh Prasad Singh, learned
Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Yogapatti
(Shanichari) P.S. Case No. 286 of 2018 registered for offence
under Sections 342, 323, 379, 354(B)/34 of the Indian Penal
Code, have prayed for grant of bail, in the event of their arrest
or surrender.

Learned counsel for the petitioners submits that the
present case is a counter blast to the complaint case filed by the
mother of petitioner no. 1 vide Complaint Case no. 777 of 2018,
which was filed on 16-05-2018 and thereafter, the present case
was filed by the informant side, which was filed on 04-06-2018.



It has been argued that both sides are pattidar and land dispute is going on since long. Learned counsel for the petitioners submits that without any material, offence of Section 379/34 of the Indian Penal Code has been added.

Besides hearing, I have also examined the material on record. Fact remains that there was case and counter case in between the parties and present case was lodged much after lodging of the Complaint Case by mother of petitioner no.1.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let the aforesaid two petitioners, namely, (i)Sunil Kumar and (ii)Rajesh Sah be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti (Shanichari) P.S. Case No. 286 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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