

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8435 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- DANIYAWAN District- Patna

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1. Dayanand Prasad, aged about 40 years, Male, S/o Late Chandeshwar Prasad.
 2. Neeraj Kumar, aged about 19 years, Male, Son of Dayanand Prasad.
 3. Suraj Kumar, aged about 20 years, Male, Son of Dayanand Prasad.
 4. Ashok Kumar, aged about 42 years, Son of Late Chandeshwar Prasad.
All residents of Village Araibenipur, P.S. Fatuha, District Patna. At present
Village Nageshwarpur, P.S. Fatuha, District Patna.
 5. Raj Kumari Devi, aged about 28 years, Female, Wife of Karu Paswan,
Resident of Village Islampur, P.S. Daniyawar, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-02-2019 Learned counsel for the petitioners submits that

petitioners no.2 and 4, namely, Neeraj Kumar and Ashok Kumar

have already been arrested.

Accordingly, the prayer for anticipatory bail of

petitioner no.2, Neeraj Kumar and petitioner no.4, Ashok Kumar

is dismissed as has become infructuous.

Heard both sides.

Petitioners apprehend their arrest in Daniyawar P.S.

Case No.156 of 2018, registered under Sections 379, 354, 427

and other minor sections of the Indian Penal Code.

The informant named the petitioners and others and



alleged that they having armed with different weapons came to the field of the informant. Sanoj Paswan made indiscriminate firing to terrorize the informant and others. The petitioners are alleged to have behaved in the same manner with the informant and her *Bataidaar*.

Learned counsel for the petitioners submits that there is a bona fide land dispute between the two sides. One Kapildeo Singh filed Daniyawan P.S. Case No.169 of 2018 against the husband of the informant and others. Karu Paswan filed SC/ST P.S. Case No.41 of 2018 against the informant and others.

Learned counsel for the informant on the other hand vehemently opposes the prayer for bail and submitted that the informant is bona fide purchaser of the land. The petitioners are putting hindrance in their peaceful possession.

Having considered the facts and nature of allegations made against the petitioners and the fact that no specific allegation is made against the petitioners although petitioners are named in the FIR and the occurrence is consequence of land dispute, let petitioners no.1, 3 and 5, namely, Dayanand Prasad, Suraj Kumar and Raj Kumari Devi, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order 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 the learned A.C.J.M.-IV, Patna City in connection with Daniyawan P.S. Case No.156 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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