

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10654 of 2019

Arising Out of PS. Case No.-920 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. AJAY TIWARI Son of Late Shankar Tiwari, R/o village- Lagunaha Tola Ahirauliya, P.S- Chautarwa, Dist.- West Champaran
 2. Vikash Tiwari Son of Late Shankar Tiwari, R/o village- Lagunaha Tola Ahirauliya, P.S- Chautarwa, Dist.- West Champaran
 3. Chhotan @ Chhotan Tiwari @ Arun Tiwari Son of Bhola Tiwari, R/o village- Lagunaha Tola Ahirauliya, P.S- Chautarwa, Dist.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Shahi Son of Late Jai Narayan Shahi, R/o village- Lagunaha Tola Ahirauliya, P.S- Chautarwa, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Trial No. 3258 of 2018 arising from Complaint Case No. 920 of 2016 registered for offence punishable under sections 406 and 420 of the Indian Penal Code.

As per the allegation, the complainant has made an allegation that he has purchased the land from Manikant Tiwari and the petitioners have prevented the complainant to take possession over the land and they also demanded Rs.1,00,000/-



only then the complainant would be given permission to take possession over the land.

The learned counsel for the petitioners submits that Manikant Tiwari, Ajay Tiwari and Vikash Tiwari are own brothers and the land in question belongs to their ancestor and Manikant Tiwari has sold the land to the complainant, for that, petitioner nos. 1 and 2 have filed a title suit, which is pending, for cancellation of sale deed.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bagaha, West Champaran in connection with Trial No. 3258 of 2018 arising from Complaint Case No. 920 of 2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in



the disposal of trial and make themselves available as and when
required by the court.

(Shivaji Pandey, J)

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