

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.947 of 2019

Arising Out of PS. Case No.-532 Year-2018 Thana- GARKHA District- Saran

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1. Chandra Bhushan Prasad @ Chandra Bhushan Sah Son of Late Gopal Sah
 2. Babu Lal Sah Son of Late Gopal Sah
 3. Yogendra Sah Son of Late Gopal Sah
 4. Raju Sah Son of Late Bhola Sah
All appellant nos.1 to 4 are resident of Village - Khaira, P.S.- Khaira, District - Saran
 5. Ramjanm Sah Son of Late Gopal Sah Resident of Village - Sargatti, P.S.- Garkha, District - Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bishwajeet Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 12-04-2019

The appellants seek pre-arrest bail in connection with Garkha P.S. Case No. 532 of 2018, registered for offences punishable under Sections 341, 323, 427, 504, 34 of the Indian Penal Code and Section 3(i)(2)(5) of SC/ST Act.

Allegation as per F.I.R. is that the appellants came along with 15-20 persons and abused the family members of the informant and the reason behind the same is said to be that the accused persons were claiming a piece of land and they have taken 3,40,000/- from him, but when the informant asked for execution of sale-deed, they refused to execute the sale-deed.



Though the appellants are named in the F.I.R., but no specific allegation has been made against them.

Submission of learned counsel for the appellants is that there was land dispute between the parties, which appears from the F.I.R. itself and no specific allegation has been attributed against any of the appellant.

Heard learned Special P.P. also.

Having heard both sides, considering the facts that the case relates to performance of contract, let appellants, above named, be surrendered within a period of six weeks and on surrender they will release on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Saran at Chapra, in connection with Garkha P.S. Case No. 532 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and the impugned order is set-aside.

(Vinod Kumar Sinha, J)

Amjad/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

