

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17261 of 2019

Arising Out of PS. Case No.-363 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ram Naresh Thakur, Son of Late Chanardeo Thakur Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.
 2. Deokant Thakur Son of Sri Ram Naresh Thakur Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.
 3. Rajendra Rai Son of Sri Sukhari Rai Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.
 4. Pushpa Devi Wife of Sri Ram Naresh Thakur Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.
 5. Bhageshwar Singh S/o Sri Anutha Singh Resident of Village- Bhawanipur, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bachcha Thakur, Son of Late Ramdeo Thakur Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Trial No. 1705 of 2018, arising out of Complaint Case No. 363 of 2017, registered under Sections 406, 323, 423, 465 and 385/34 of the Indian Penal Code.

The accusation is that on 31.10.2017, the



complainant Bacha Thakur went at his filed then saw Ram Naresh Thakur (petitioner No.1), Deokant Thakur (petitioner No.2) were engaged in cutting the paddy, when complainant made protest then both become furious saying that the land belonging to them and they started to abuse and assault the complainant. At that time, petitioner No.2 tried to strangle the neck of the complainant by folding towel and petitioner No.1 took his thumb impression on plain stamp paper. On raising alarm, witnesses came and saved the complainant. Thereafter, complainant went to registry office then come to know that petitioner No.1 has transferred five katha of land through sale-deed under Khata No. 163, Plot No. 1654 to his son Deokant Thakur on which Rajendra Rai (Petitioner No.3) has put his signature as witness on the sale deed. The complainant also come to know that the land, which was purchased by him in the name of Renu Devi from Rameshwar Ojha that land was also sold by petitioner No.5 Bhageshwar Singh in the name of Pushpa Devi (Petitioner No.4).

Learned counsel appearing on behalf of the petitioners submits that, in fact, the petitioner No.1 Ram Naresh Thakur is cousin of complainant/O.P. No.2 and land dispute is going on and F.A. 30 of 1989 is pending before this



Court for disposal. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Sikrahana, Dhaka, East Champaran in connection with Complaint Case No. 363 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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