

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4416 of 2018

Arising Out of PS. Case No.-339 Year-2018 Thana- GARKHA District- Saran

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1. Ram Nath Singh and Anr S/o Chandrama Singh,
 2. Sunita Devi, W/o Chandrama Singh, Both 1 and 2 are Resident of Village P.O.- Kewani, P.S.- Garkha, Dist- Saran at present residing at D 33/42, Khalishpur, Darhashwamegh, Varanasi 221001 U.P.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwary
For the Respondent/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

The appellants seek pre arrest bail in connection with Garkha P.S. Case No. 339 of 2018, registered for offences punishable under Sections 341, 323, 504 and 506 of the Indian Penal Code and Section 3 of SC/ST Act.

Allegation against the appellants is that they abused the informant by caste name and also threatened him to execute the land in favour of the appellants, which has been purchased by him beside the land of the appellants.

It has been submitted on behalf of the appellants that they have falsely been made accused in this case due to land dispute, which will appear from the fact that appellant no. 2 had purchased 1 katha 2 dhur of land through two registered sale deeds from Phooldeo Singh on 04.06.1991 and since then she has been in peaceful possession of the said land and Dharendra Singh, Son of Phooldeo Singh was witness in



sale deeds. Thereafter, Dhirendra Singh, son of Phooldeo Singh executed the sale deed with respect to the same land in favour of wife of informant and when appellants protested, the informant has come out with this false case and no such occurrence has ever taken place as alleged by the informant.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below, be released 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 - cum-Special Judge Saran at Chapra, in connection with Garkha P.S. Case No. 339 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

