

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28537 of 2019

Arising Out of PS. Case No.-971 Year-2018 Thana- NAWADA District- Nawada

1. Chandrika Prasad Son of Late Bal Govind Mahto Resident of Village Adrakhi Bigha Saheb Chak P.S.- and District- Nawada.
2. Ram Balak Prasad, Son of Late Balgovind Mahto, Resident of Village Adrakhi Bigha Saheb Chak P.S. and District- Nawada.
3. Birendra Kumar @ Birendra Prasad @ Binda Prasad Son of Chandrika Prasad, Resident of Village Adrakhi Bigha Saheb Chak P.S. and District- Nawada.
4. Suresh Prasad, Son of Late Balgovind Mahto, Resident of Village Adrakhi Bigha Saheb Chak P.S. and District- Nawada.
5. Santosh Kumar, Son of Arjun Prasad, Resident of Village Adrakhi Bigha Saheb Chak P.S. and District- Nawada.
6. Mantu Kumar, Son of Arjun Prasad, Resident of Village Adrakhi Bigha Saheb Chak P.S. and District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-05-2019 Learned counsel for the petitioners seeks permission to withdraw the bail petition on behalf of the petitioner no. 1 Chandrika Prasad submitting that during pendency of this petition, he has been arrested.

Permission is granted.

Accordingly, the bail petition as against the petitioner no. 1 Chandrika Prasad is dismissed as withdrawn.



Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Nawada P.S. Case No. 971 of 2018 registered for the offence punishable under Sections 147, 149, 323, 384, 427, 504, 506 and 379 of the Indian Penal Code.

The informant is said to have purchased the land in the year 2018 in the name of his mother and was raising construction over the said land. In the meantime, all the petitioners descended there and dismantled pillars etc. constructed by the informant and took away the building materials with them.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. As a matter of fact, co-accused Chandrika Prasad had purchased the aforesaid land from its vendor earlier to the informant in the year 2016 and he happens to be the first purchaser of the aforesaid land and after said purchase, informant had got purchased the aforesaid land from the said vendor in the year 2018 with ulterior motive. The Title Suit is also pending between the parties regarding the aforesaid



property. Allegation levelled against the petitioners is not specific rather general and omnibus. Petitioners have no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Nawada P.S. Case No. 971 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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