

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25744 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- DHANSOI District- Buxar

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1. LAKSHMAN RAM S/o Late Ram Pyar Ram R/o village- Choubey Ke Parasiya, P.S.- Dhansoi, District- Buxar.
 2. Sumant Ram S/o Bhola Ram R/o village- Choubey Ke Parasiya, P.S.- Dhansoi, District- Buxar.
 3. Nand Bihari Ram @ Nand Bihari S/o Late Singhashan Ram R/o village- Choubey Ke Parasiya, P.S.- Dhansoi, District- Buxar.
 4. Prem Chand Ram S/o Late Singhashan Ram @ Late Singhashan R/o village- Choubey Ke Parasiya, P.S.- Dhansoi, District- Buxar.
 5. Jai Ram Ram S/o Late Banarsi Ram R/o village- Choubey Ke Parasiya, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 23-07-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dhansoin P.S. Case No. 81 of 2018, registered for the offences punishable under Sections 147, 148, 149, 384 and 506 of the Indian Penal Code.

Petitioners are said to have constructed community hall and temple of Ravidas Jee over the land of informant and also intend to encroach rest of the land. When the informant started



piling his rest land, the petitioners demanded rupees one lakh as extortion giving threatening of kidnapping of his grand sons.

It is submitted by the learned counsel for the petitioners that petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in this case. Earlier to the case under hand, aunt of the petitioner No. 3 has lodged a criminal case against the informant and others in the year 2017. Cousin brother of the informant has also lodged case in the year 2014 which was registered as Dhansoin P.S. Case No. 62 of 2014 and police after completion of investigation submitted final form against the accused of said case. Then informant of the said case filed protest petition and in the said protest case which was treated as Protest Compliant No. 01 (c) of 2015 the informant himself deposed that the aforesaid community hall and temple of Ravidas Jee has been constructed by the petitioner. Petitioners have neither made any demand of extortion nor extended threatening of kidnapping of the grand sons of the informant. The allegation levelled against the petitioners is not specific rather general and omnibus in nature.

On the other hand learned A.P.P. for the State and counsel appearing on behalf of the informant opposing the prayer for bail submitted that petitioners have encroached the land of the informant by constructing the community hall and the temple of Ravi Das Jee and they want to encroach rest of the



land of the informant, hence they do not deserve bail.

Having regard to the facts and circumstances of the case, the above named petitioners are directed to be enlarged 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Dhansoin P.S. Case No. 81 of 2018, subject to condition as laid down under Section 438 (2) of the Cr.P.C and also subject to condition that petitioners shall not make any encroachment in the rest of the land of the informant else their bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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