

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2026 of 2019

Arising Out of P.S. Case No.-242 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

1. Munna Yadav Son of Bhageru Bhagat Resident of Bari Pahari, P.S.- Agamkuan, District - Patna
2. Guriya Devi Wife of Munna Yadav Resident of Bari Pahari, P.S.- Agamkuan, District - Patna
3. Indal Rai @ Indal @ Aman Raj @ Amar Raj Son of Ravindra Prasad Resident of Nandlal Chapra Zakariyapur, P.S.- Ram Krishna Nagar, District - Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Digamber Kr. Singh
For the Opposite Party/s : Mr.Sri Nand Kishore Pd

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-03-2019 This application, for grant of anticipatory bail, arises out of Ram Krishna Nagar P.S. Case No. 242 of 2017, disclosing offences under Sections 147, 148, 149, 323, 341, 420, 467, 468, 504, 506 and 120(B)/34 of the Indian Penal Code.

Allegation as per F.I.R. is that land which was purchased by the informant from one Sita Ram has been resold by one Munna Yadav and when the informant came to know that petitioners and others want to grab the land of informant he found that they are making construction on the land of informant and when the informant enquired, accused persons started abusing him.

Submission of learned counsel for the petitioners is



the dispute is purely civil in nature and co-accused persons have already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 05.02.2019 passed in Cr. Misc. No. 72096 of 2018.

Learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail. Learned counsel for the informant has submitted that the land in question has been purchased by a cooperative society from the father of petitioner no. 1, which was later on purchased by the informant, on which, he has constructed the boundary wall, however, petitioner no. 1 fraudulently sold the land to other co-accused persons of this case, who were making construction over the land of the informant.

Having heard both sides, considering the facts and circumstances of the case so far petitioner nos. 2 and 3 are concerned, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -XIII, Patna, in connection with Ram Krishna Nagar P.S. Case



No. 242 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1 is concerned, I am not inclined to grant him the privilege of anticipatory bail rather he should surrender before the court below and pray for regular bail and if any such application is filed the court below shall dispose of the same on the merit of the case, without being prejudiced by the order of this court.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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