

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68096 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- JOKIHAT District- Araria

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1. SANJAY YADAV Son of Late Abir Lal Yadav
 2. Santosh Yadav Son of Late Abir Lal Yadav
 3. Shakti Devi @ Sati Devi Wife of Late Abir Lal Yadav
- All are residents of Village-Thubri Ward No.11, Police Station-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-11-2019 Heard both sides.

The petitioners apprehend their arrest in Jokihat(Mahalgaon) P.S. Case No.16 of 2019 registered under Sections 341, 323, 354B, 379, 384, 447, 448, 427, 504, 506/34 of the Indian Penal Code.

The informant alleged that she got the land of different plots of Khata No.103 and 303 measuring 1 acre 10 decimals and Bamboo clumps are standing on her lands but the accused persons in order to dispossess the informant from her land came and assaulted the informant and cut the bamboo trees. Again the accused persons came on 02.01.2019 and assaulted the informant snatched her ornaments and cut bamboo trees.



The learned counsel for the petitioners submits that second occurrence is said to have taken place on 02.01.2019 but F.I.R. was lodged on 08.01.2019 i.e. after six days of the occurrence. On account of bonafide land dispute, the informant made allegation of demand of extortion. There is a counter version being Jokihat P.S. Case No.13 of 2019.

Taking into consideration the fact that there is a bonafide land dispute between two sides, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail 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, Araria in connection with Jokihat(Mahalgaon) P.S. Case No.16 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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