

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60463 of 2019

Arising Out of PS. Case No.-227 Year-2019 Thana- JOGAPATTI District- West Champaran

1. MAUZLAL THAKUR, aged about 55 years, Male, Son of Late Shankar Thakur, Resident of Village- Rudalpur Paterwa, P.S.- Jogapatti, District- West Champaran
2. Pannalal Thakur, aged about 45 years, Male, Son of Late Shankar Thakur, Resident of Village- Rudalpur Paterwa, P.S.- Jogapatti, District- West Champaran
3. Jitan Kumar Thakur @ Jitan Thakur, aged about 24 years, Male, Son of Mauzlal Thakur, Resident of Village- Rudalpur Paterwa, P.S.- Jogapatti, District- West Champaran ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Jogapatti P.S. Case No. 227 of 2019 for the offences alleged under Sections 447, 341, 323, 384, 504, 506 and 34 of the Indian Penal Code.

The accusation is that on the basis of the application of the informant, Chhotu Babu, Encroachment Case No. 15 of 2016-17 was registered by the Circle Officer, Jogapatti, in respect to encroachment of Government land situated in front of plot no. 608 of the informant and with the help of Circle Officer encroachment was removed, but, thereafter, 7 persons named in the first information report encroached the same again by fixing the hand pump and started to create nuisance in reaching of the informant at his plot and demand was being made of



Rs.1,00,000/- for providing path to informant to go to his land through the encroached land.

The submission of the learned counsel for the petitioners is that in fact informant has lodged the present case with false allegation only to other first information report named accused so that the petitioner may not make any obstrucle in grabbing the Government land by the informant. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Jogapatti P.S. Case No. 227 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiah, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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