

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65471 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- JURAWANPUR District- Vaishali

1. Baran Rai, Son of Late Kailu Rai Resident of Village - Raghapur, P.S.- Jurawanpur, Distt.- Vaishali.
2. Binod Rai, Son of Baran Rai Resident of Village - Raghapur, P.S.- Jurawanpur, Distt.- Vaishali.
3. Sinod Rai, Son of Baran Rai Resident of Village - Raghapur, P.S.- Jurawanpur, Distt.- Vaishali.
4. Santosh Rai, Son of Baran Rai Resident of Village - Raghapur, P.S.- Jurawanpur, Distt.- Vaishali.
5. Chandeshwar @ Birchandra Rai @ Chandra Shekhar Kumar, Son of Baran Rai Resident of Village - Raghapur, P.S.- Jurawanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anjum Akhter
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Jurawanpur P.S. Case No.44 of 2019, for the offence punishable
under Sections 147, 148, 149, 341, 323, 354, 379, 504 of the
Indian Penal Code and Section 27 of Arms Act.

The allegation against the petitioners is that
petitioners along with other accused persons entered into the
land of the informant and forcibly cut shisham trees with the



help of JCB and also assaulted the informant and his wife and tried to outrage the modesty of wife of the informant.

Learned counsel appearing for the petitioners submits that the dispute between the parties occurred due to a piece of land bearing Khata No.1686, Khesra No.1872, which was given to the side of the petitioner by the informant by way of an agreement for sale for which a sum of Rs. 96,000/- has already been paid by the side of the petitioner to the informant. Learned counsel further submits that occurrence has allegedly taken place on 11.01.2019 but the present FIR has been lodged after a considerable delay of about more than three months on 25.04.2019. Learned counsel further submits that in fact the complaint bearing Complaint Case No.1016 of 2019 was filed by the side of the petitioners on 18.04.2019 against the informant and others stating above-mentioned facts, then the present FIR has been lodged with the concocted story.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that no serious injury has been found to the informant and others and both the parties are co-villagers and there appears to be land dispute between them, I am inclined to grant anticipatory bail to all the petitioners.



Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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