

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2774 of 2019**

Arising Out of PS. Case No.-484 Year-2017 Thana- ROHTAS COMPLAINT CASE District-  
Rohtas

- 
1. Brij Mohan Rai son of Late Ram Kailash Rai Vill-Jethwar, P.S-Tarari, Distt.-Bhojpur
  2. Chandra Bhusan Rai son of Late Ram Kailash Rai Vill-Jethwar, P.S-Tarari, Distt.-Bhojpur
  3. Ashok Rai son of Late Ram Kailash Rai Vill-Jethwar, P.S-Tarari, Distt.-Bhojpur
  4. Deepak Rai son of Late Ram Kailash Rai Vill-Jethwar, P.S-Tarari, Distt.-Bhojpur

... .. Petitioners

Versus

1. State Of Bihar
2. Arun Kumar Sharma son of Late Ram Prasad Rai Vill-Jethwar,P.S-Tarari, Distt.-Bhojpur at present mohalla-Gorakshani Sasaram Ward no.5 P.O and P.S-Sasaram,Distt.-Rohtas

... .. Opposite Parties

---

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

---

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      22-01-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 484 of 2017 for the offence under Sections 379, 387 and 506 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that the same complainant has got registered several cases against these petitioners, which is mainly because of the land dispute between them. He has referred to the statements made in paragraph 3 of this application. It has also been submitted that at least in one of the cases, petitioners No.



1, 2 and 4, who were accused, have been acquitted by learned 3<sup>rd</sup> ACJM, Sasaram, Rohtas in Complaint Case No.1077 of 2004/236 of 2016.

It is alleged in the complaint petition that the accused persons had entered into the complainant's house and complainant thereafter had offered them water. Learned counsel appearing on behalf of the petitioners would contend that the allegation, which had been made in the complaint petition, that the complainant offered water and the accused persons were asking for extortion money, is unbelievable, in view of their admitted past inimical relationship.

I find substance in the submission advanced on behalf of the petitioners. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rohtas at Sasaram in Complaint Case No.484 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Pawan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

