

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7511 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- HARNAUT District- Nalanda

1. Nagina Ravidas @ Nagina Mochi S/o Late Sobhi Mochi @ Saukhi Mochi @ Saukhi Ravidas R/o village- Poari, P.S.- Harnaut District- Nalanda
2. Tunny Ravidas S/o Naresh Mochi @ Naresh Ravidas R/o village- Poari, P.S.- Harnaut District- Nalanda
3. Chandan Ravidas S/o Ashok Ravidas @ Ashok Mochi R/o village- Poari, P.S.- Harnaut District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Prasad, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Harnaut P.S. Case No. 450 of 2019 registered for the offence punishable under Sections 323, 452, 354(b)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case by making the false statement by the informant due to previous enmity regarding land dispute. It is further submitted that without following the procedure laid down under Section 154(3) Cr.P.C.



the complaint case has been filed before the learned Magistrate.

Learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the submission of learned counsel for the petitioners that a title suit is going on between the parties and this case has arisen out of a complainant case. This police case has been registered after a reference made under Section 156(3) Cr.P.C. on a complaint case which was filed before the learned C.J.M., Biharsharif without following the procedure laid down under Section 154(3) Cr.P.C. and further that the case is only an outcome of rivalry between the parties, let the petitioner above named in case of their arrest or surrender within a period of four weeks from today in connection with Garkha P.S. Case No. 190 of 2019 be released on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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