

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25566 of 2020

Arising Out of PS. Case No.-746 Year-2019 Thana- KUDHNI District- Muzaffarpur

1. DEVENDRA SAHANI S/o Late Ghamandi Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
2. Ramdulari Devi Wife of Jagdish Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
3. Jagdish Sahani S/o Chulai Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
4. Rinku Devi Wife of Arjun Sahni, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
5. Fakira Sahani S/o Late Saryug Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
6. Manglesh Kumar S/o Jagadish Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
7. Sunita Devi W/o Ranjeet Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
8. Mithun Kumar S/o Surith Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
9. Laxmi Sahani S/o Pathal Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
10. Kushma Devi W/o Ambika Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
11. Pramila Devi @ Parmila Devi W/o Damodar Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
12. Pathal Sahani S/o Late Saryug Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
13. Budhiya Devi W/o Pathal Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
14. Sakhiya Devi W/o Surith Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
15. Putul Devi @ Putal W/o Lakhandev Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
16. Umesh Choudhary S/o Late Sonful Choudhary, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.
17. Ambika Sahani S/o Late Banai Sahani, Resident of Village-Dharmuhan, P.S.-Kudhani (Turki O.P.), District-Muzaffarpur.

... .. Petitioner/s



Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-10-2020 Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Kudhani P.S.
Case No.746 of 2019 registered under Sections 147, 148, 149,
341, 323, 427, 452, 380, 386 and 504 of the Indian Penal Code.

The gist of the allegation is that 8 decimals land of
Khata No.170, Khesra No.736 was purchased by the grandfather
of the informant in the year 1949 by a registered deed and the
house of the informant was standing thereon. When the
informant started work of repairing the house, all the accused
persons, who were neighbours, having armed with different
weapons, came and obstructed the work. The informant made
complaint before the Circle Officer and the S.H.O. The land was
measured by Anchal Amin but the accused persons also put
hindrance in measurement of the land.

Learned counsel for the petitioners submits that the
petitioners are innocent and they have in fact committed no
offence. There is a land dispute between the two sides with



regard to 8 decimals land of Khata No.170, Khesra No.736. It is submitted that R.S. Plot Nos.736 and 737 corresponding to C.S. Plot No.425 were prepared in the name of Late Saryug Sahni but due to mistake in revisional survey, khatian was only prepared for R.S. Plot No.737 and R.S. Plot No.736 was left to be entered in the khatian of Late Saryug Sahni but the petitioners remained in possession of the lands. The petitioners filed Title Suit No.20 of 2020 which is pending. It is further submitted that there is no allegation against the petitioners that the petitioners assaulted the informant.

It appears that there is a bona-fide land dispute between the petitioners and the informant and on account of some wrong entry or non-entry in khatian, the dispute arose between the two sides for which Title Suit No.20 of 2020 is filed by the petitioners.

Having considered the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 3rd (west), Muzaffarpur in



connection with Kudhani P.S. Case No.746 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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