

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74469 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- RAJIVNAGAR District- Patna

1. Santi Kumar @ Shashi Prakash Ranjan and Anr Son of Bhusan Singh @ Sanjai Singh, Residing at Near Digha Post Office, P.S.- Digha, District- Patna.
2. Rakesh Kumar, Son of Shukhdeo Prasad, Residint at Rajiv Nagar, Road No.23, P.S.- Rajeev Nagar, District- Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 12-06-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Rajeev Nagar P.S.Case No. 235 of 2018 registered under Sections 385, 387, 504 and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that plot no.2710 and other plots have been allotted to the petitioner no.1. He constructed boundary wall and room over the said plot, which is still existing. When the petitioners tried to renovate the said boundary wall and room, the informant started creating nuisance on the basis of false and fabricated Mukhtarnama, which is said to be executed by Pandey



Harikrishan Sahay and his wife although they have no right, title and interest over the said land. He contended that all Sections except Section 387 of the Indian Penal Code are bailable in nature and the ingredients of the offence punishable under Section 387 of the Indian Penal Code are not attracted.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation, submissions advanced at the Bar and the pleadings made in the application, in the event of arrest or surrender before the court below, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge IIIrd, Patna in connection with Rajeev Nagar P.S. Case No.235 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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