

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17502 of 2021**

Arising Out of PS. Case No.-2165 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Krishna Kishore Tiwary @krishna Tiwary Son of Late Dev Nandan Tiwary Resident of Village - Chandrahiya, P.s.- Motihari Muffasil, Distt.- East Champaran.
 2. Om Prakash Sultaniya Son of Banarsi Lal Sultaniya Resident of Village - Agarwa Ward No.31, P.s.- Motihari Town, Distt.- East Champaran.
 3. Gyatri Devi W/o Prakash Sultaniya Resident of Village - Agarwa Ward No.31, P.s.- Motihari Town, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-12-2021 Let the defects, as pointed out by the office, be removed when called upon to do so by the office.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered in connection with Complaint Case No. 2165 of 2017 for the offences punishable under Sections 420, 467, 468/34 of the Indian Penal Code.

As per allegation in the F.I.R, there is land dispute between the parties. Petitioner namely, Krishna Kishore Tiwari and complainant namely, Nawal Kishore Tiwari are own cousin



brothers and petitioner filed Title suit no. 396 of 2016 against the complainant and his family members and both the parties are co-sharer of the land.

Learned counsel for the petitioner submits that petitioner no. 1 pertaining to the same land in which petitioners were granted anticipatory bail by a co-ordinate Bench of this court in Cr. Misc. No. 28841 of 2017 vide order dated 10.07.2017. It is further submitted that police has submitted final form that the case is civil in nature.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court Below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Motihari, East Champaran in connection with Complaint Case No. 2165 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

(Sunil Kumar Panwar, J)

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