

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33395 of 2020

Arising Out of PS. Case No.-228 Year-2020 Thana- SIKARPUR District- West Champaran

1. PRAHALAD KUMAR S/o Late Bindeshwari Sah R/o village- Mahatama Gandhi Road, Narkatiyaganj, Ward No. 16, P.S.- Sikarpur, District- Bettiah.
2. Rana Vishwas S/o Ravindra Vishwas R/o village- Marwari, Mohalla- Narkatiyaganj, Ward No. 14, P.S.- Sikarpur, District- Bettiah.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Sharda Nand Mishra, Advocate.
For the State	:	Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 23-03-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shikarpur P.S. Case No.228 of 2020 registered under Sections 420, 467, 468, 471, 504 and 506/34 of the Indian Penal Code.

The accusation is that Vijay Kumar Rai, resident of village-Chanki, P.S. Shikarpur, District-West Champaran, Bettiah, used to reside at Bettiah along with his sole son Ajay Rai in connection with his business. Satyadev Sah, Jwala Sah and Subhash Sah, all sons of Late Harihar Sah of the village of the informant, are mischievous and their mother Late Mantura



Devi was also mischievous and they wanted to grab the land of the informant. Jwala Sah, Satyadev Sah and Subhash Sah showing their parentage as Late Genda Rai executed two sale-deeds in respect of Plot No.631 area 125.18 decimals and 57 decimals of Khata No.2 in favour of their close relatives Prahalad Kumar (petitioner no.1) and Rana Vishwas (petitioner no.2). Thereafter, they started to make claim over the aforesaid land and on 04.05.2020, they became adamant to capture the land.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioners are the purchasers of the land, which is disputed by the informant in the F.I.R. In fact, Late Genda Rai was the grandfather of the informant and was also the father of Jwala Sah, Satyadev Sah and Subhash Sah and due to family dispute, only to put undue pressure upon the petitioners, the informant has lodged the present case. More so, the dispute is purely of civil in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the Chief Judicial Magistrate,
West Champaran, Bettiah, in connection with Shikarpur P.S.
Case No.228 of 2020, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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