

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2108 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- SIKARPUR District- West Champaran

1. Mokhtar Ramesh Chandra Shrivastav@ Ramesh Chandra Shrivastav S/o Late Sukhdeo Prasad, Resident of Chikhalti Road, Ward No. 16, Narkatiyaganj, P.S.- Shikarpur, District- West Champaran
2. Alok Kumar S/o Mokhtar Ramesh Chandra Shrivastav @ Ramesh Chandra Shrivastav, Resident of Chikhalti Road, Ward No. 16, Narkatiyaganj, P.S.- Shikarpur, District- West Champaran
3. Manohar Kumar Mokhtar Ramesh Chandra Shrivastav @ Ramesh Chandra Shrivastav, Resident of Chikhalti Road, Ward No. 16, Narkatiyaganj, P.S.- Shikarpur, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar Shrivastava
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the appellants and learned
counsel for the State.

The appeal is admitted.

In this appeal, the appellants are seeking anticipatory bail in connection with Shikarpur P.S. Case No. 128 of 2020 registered for offence punishable under sections 341, 323, 379, 504/34 of the Indian Penal Code and sections 3 (i) (r) (s) of the SC/ST (POA) Act.

Allegation has been made that the informant had gone for getting information about the cost to be incurred in registration of the land. Earlier, the petitioner had told that Rs.21,700/- per



decimal land will be the expenditure cost and after 15 minutes, he told that Rs.78,000/- per decimal land will be the expenditure cost whereupon the informant said that why he is enhancing the amount whereafter son and the petitioner along with other accused started abusing the informant by denoting his caste name and also assaulted him and took Rs. 35,000/- from his pocket.

Learned counsel for the appellants submits that it is a false case. The dispute arose only with regard to verify the cost to be incurred in the registration of the land.

Looking to the entirety of the matter, the impugned order dated 21.08.2020 is set aside and the appellants above named, in the event of arrest or surrender before the court below within six weeks from today, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST), Bettiah, West Champaran in connection with Shikarpur P. S. Case No. 128 of 2020, subject to the condition that one of the bailors of the appellants shall be their close relative.

(Shivaji Pandey, J)

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