

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37909 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- VISHNUPAD District- Gaya

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1. SONU SHARMA S/o Uma Sharma @ Umakant Sharma R/o Village- Madanpur, Khatka Chak, P.S.- Vishnupad, District- Gaya
 2. Subodh Sharma S/o Uma Sharma @ Umakant Sharma R/o Village- Madanpur, Khatka Chak, P.S.- Vishnupad, District- Gaya
 3. Nitish Kumar S/o Arjun Prasad R/o Village- Madanpur, Khatka Chak, P.S.- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Adv.

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-07-2021 Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Vishnupad P.S.

Case No.113 of 2020 registered under Sections 341, 323, 379,
504 and 34 of the Indian Penal Code.

The informant alleged that after parking his motorcycle he started moving around his field but in the meantime the accused persons came near his motorcycle and they were watching the informant. Thereafter Sonu Kumar and Nitish Kumar fled away with the motorcycle. Uma Sharma, Subodh Sharma and Karu Sharma abused and assaulted the informant.

Learned counsel for the petitioners submits that the land in which the informant is said to have parked his motorcycle is a disputed land. The petitioners' side purchased

the land in the year 1983 from the real owner but the informant purchased the same land in the year 1996. The motorcycle was recovered from the same place where the informant had parked his motorcycle. The petitioners have falsely been implicated in the case.

Taking into consideration the facts that the petitioners are said to have fled away with the motorcycle but the motorcycle was recovered from the same place and there is a land dispute between both sides, 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 C.J.M., Gaya in connection with Vishnupad P.S. Case No.113 of 2020, 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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