

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5113 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- VISHNUPAD District- Gaya

1. AMIT KUMAR @ AMIT KUMAR GUPTA @ AMIT KUMAR S/o Umesh Prasad R/o Mohalla- Mayur Vihar Colony, P.S.- Vishnupad, District- Gaya
2. Umesh Prasad S/o Late Jamuna Prasad R/o Mohalla- Mayur Vihar Colony, P.S.- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-09-2021 Heard Mr. Sharda Nand Mishra, learned Advocate for the petitioners and Ms. Sangeeta Sharma, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Vishnupad P.S. Case No. 156 of 2020 dated 09.09.2020 instituted for the offences under Sections 147, 148, 149, 447, 323, 354B, 379, 504 and 506 of the Indian Penal Code.

The petitioners are son and father amongst themselves. The accusation in the FIR is that despite the fact that the informant had purchased the land in



question from the father of petitioner no. 2, but for allowing him to stay in the house which was constructed over that plot of land, an amount of Rs. 2 lakhs was demanded from the petitioners.

Learned counsel for the petitioners has submitted that an absolutely false case has been lodged against them, who are members of the Scheduled Caste community.

True it is that the petitioners are the grand-son and son respectively of Yamuna Prasad, who had sold the land to the informant but there was some dispute over the informant digging a drain in front of the house which otherwise would have obstructed the free flow of traffic, that this case has been lodged.

The petitioner no. 1 has also lodged a case against the informant and others for an occurrence in which he has received grievous injuries.

Regard being had to the aforestated facts, the petitioners are directed to be released on bail, in the



event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No. 156 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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