

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3052 of 2022

Arising Out of PS. Case No.-378 Year-2013 Thana- DANAPUR District- Patna

1. GOPAL PRASAD S/O LATE PANCHU SAO R/o Mohalla- Bibiganj, Maida Toli, Danapur, P.S.- Danapur, District- Patna
2. JAI PRAKASH SINGH S/O LATE VASUDEV SINGH ARYA @ LATE VASUDEV PRASAD SINGH R/o Mohalla- Adarsh Nagar, J.P. Marg, Gajadhar Chak, Gola Road, P.S.- Danapur, District- Patna
3. SHIVENDRA KUMAR S/O LATE RAJESHWAR PRASAD SAH @ RAJESHWAR PRASAD R/o Mohalla- Imalital, Near Sharda Medical, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Rakesh Singh, Advocate
For the State	:	Dr.Mrityunjaya Kr.Gautam, APP
For the informant	:	Mr.Pawan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in connection with Danapur P.S. case No.378/2013 registered under Sections 468, 471, 467, 426, 465, 466, 387, 120(B), 34 of the Indian Penal Code.

Allegation is that a land was purchased by the



husband of the informant and petitioner No.1 came and claimed that the land belongs to one Society and he being the Secretary of Society had sold it to other accused. The accused persons demanded Rs.30,000/- from the complainant as ransom.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The present case has been instituted under Section 156(3) of Cr.P.C. From perusal of the F.I.R., it appears that there is land dispute between the parties. The police after investigation submitted final form against the petitioners. The court below had differed with the police report and taken cognizance in the matter. Hence the present application has been preferred. The matter relates to civil dispute.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Nivedita Kumari, Judicial Magistrate, 1st class, Danapur, District Patna in connection with Danapur P.S. case No.378/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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