

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14712 of 2022

Arising Out of PS. Case No.-134 Year-2021 Thana- DULHIN BAZAR District- Patna

1. KRISHNA MURARI SINGH S/O LATE LEKH NARAIN SINGH R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna
2. Sikandar Yadav @ Sikandar Singh Yadav S/o Late Rudal Yadav R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna
3. Amit Singh @ Amit Kumar S/o Krishna Murari Singh @ Krishna Murari Sharma R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna
4. Sunil Singh @ Sunil Kumar S/o Kamal Kishore Singh R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna
5. Rajesh Singh @ Rajesh Kumar S/o Komal Kishore Sharma @ Kamal Kishore Singh R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna
6. Phudan Yadav @ Sunil Kumar S/o Raja Ram Yadav R/o village- Dharampur Kharwan, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Shama Sinha, Adv Mr. Amit Kumar Singh, Adv Mr. Kumar Ravish
For the Opposite Party/s	:	Mr. Ramnaresh Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered



for the offence punishable under section 341, 323, 354, 379, 307, 387, 427, 448, 504, 506 of the Indian Penal Code.

Allegedly, the petitioner no.1 namely, Sheoraj Yadav demanded extortion amount of Rs.1 lakh. However, the same was not paid and accordingly the informant was threatened that how he has been continuing with the construction work without the payment of extortion amount. It is further alleged that the petitioners assaulted the informant with an intention to murder him and when his family members came to rescue him, the accused persons entered into the house of the informant and took valuable articles and also misbehaved with the female members.

It is submitted by learned counsel for the petitioner that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. In the alleged occurrence both sides sustained injuries and the injuries are simple in nature. There is no specific overt act against the petitioners. There is an admitted land dispute between the parties and both the parties are



neighbours. Petitioner nos.1, 4 and 5 have one criminal antecedent and petitioner nos.2 and 3 have two criminal antecedent and petitioner no.6 have four criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is a land dispute between the parties and the injuries are simple in nature, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Dulhin Bazar P.S. Case No. 134 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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