

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46031 of 2021**

Arising Out of PS. Case No.-456 Year-2018 Thana- BAIRIYA District- West Champaran

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BHOLA MAHTO @ RANU KUMAR Son of Harendra Prasad Kushwaha @
Harendra Mahto Resident of Village- Ththawa Nand Pur, P.S.- Bairiya,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 47145 of 2021

Arising Out of PS. Case No.-456 Year-2018 Thana- BAIRIYA District- West Champaran

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NANDLAL PRASAD S/o GHUGBLI PRASAD R/o VILLAGE-THTHAWA
NAND PUR, P.S-BAIRIYA, DISTRICT-WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 46031 of 2021)

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Suresh Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 47145 of 2021)

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioners as well

as learned Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case

registered for the offences punishable under Sections

436/34 of the Indian Penal Code.



It is a case of setting fire on the hut of the informant due to which some house hold articles and a goat was burnt to death.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. There is land dispute between the parties and the DCLR Bettiah Sadar passed order in favour of the father of the petitioner in Settlement case no. 21 of 2001 and directed the informant to remove the encroachment from land. No specific allegation attributed against the petitioners.

Learned Additional Public Prosecutor opposed the bail prayer of the petitioner.

Considering the facts and circumstance of the case as well as submission of the parties, let the petitioners in the event of their arrest or surrender before the Court Below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, west Champaran, Bettiah in connection with Bairiya P.S Case No. 456 of 2018 subject to the conditions



as laid down under Section 438(2) of the Cr.P.C

(Sunil Kumar Panwar, J)

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