

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2691 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- GAMAHARIYA District- Madhepura

HARI NARAIN SAH S/O JAGDISH SAH R/V- KHADH, WARD NO. 11,
P.S.- GAMAHARIYA, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4022 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- GAMAHARIYA District- Madhepura

1. VISHWANATH SHARMA Son of Late Satto Sharma R/V- Chikni Khar, P.S- Gamharia, Dist- Madhepura
2. Mithilesh Sharma Son of Vishwanath Sharma R/V- Chikni Khar, P.S- Gamharia, Dist- Madhepura
3. Harilal Paswan @ Hiralal Paswan son of Late Pulkit Paswan @ Pulkit Hajra R/V- Chikni Khar, P.S- Gamharia, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 2691 of 2023)

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

(In CRIMINAL MISCELLANEOUS No. 4022 of 2023)

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.



Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 447, 504 and 506 of the Indian Penal Code.

While all the FIR named accused persons including these petitioners were constructing thatched house over the land of the informant's sister-in-law and when the informant forbade them to do so, all the accused persons including these petitioners entered into the house of the informant and assaulted them they also snatched Rs. 5,000/-, jewellery and valuable articles from the house of the informant.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the informant was planning to buy the land adjacent to his house but due to lesser amount the petitioners denied to execute a sale deed in his favour and later on the land was purchased by another co-accused Vishnusdeo Sharma. It is further submitted



that the informant tried to capture the land which was purchased by co-accused Vishnudeo Sharma from the petitioner, which was the reason of dispute between the informant and the petitioners. He has also submitted that the petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Gamhariya P.S. Case No.67 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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