

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31835 of 2023

Arising Out of PS. Case No.-538 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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1. TUNTUN MAHTO Son of Late Sheo Nath Mahto Resident of Mohalla - Thakurbari Dih, Police Station - Town, District - East Champaran.
 2. Ravi Pratap Son of Shambhu Ram Resident of Mohalla - Nakchhed Tola, Police Station - Town, District - East Champaran.
 3. Nand Kishore Ram @ Nand Kishore Rai Son of Ramdeo Ram @ Ramdeo Rai @ Ramdev Ray Resident of Mohalla - Dharamsamaj Road, Near - Goshala, Police Station - Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ranjana Srivastava
For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 384, 379, 504, 307 & 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they threatened the informant, her husband and snatched away gold kangan Rs.15000/-.

4. 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. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is simple in nature. There is inordinate delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as also the fact that there *inter se* land dispute, 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 Motihari Town P.S. Case No.538 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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