

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39472 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- GOPALPUR District- West Champaran

1. CHUMAN RAM @ CHUMAN RAUT S/o- AKHTAR HUSSAIN village- Tula Ram Ghat Ps- Chanpatiya Dist- West Champaran
2. Lalan Ram son of Manshi Ram @ Vansi Ram Village- Tula Ram Ghat, Ps- Chanpatiya Dist- West Champaran
3. Dharmdeo Ram @ Dharamdv Ram son of Manshi Ram Village- Tula Ram Ghat, Ps- Chanpatiya Dist- West Champaran
4. Jitendra Ram son of Shankar Ram Village- Tula Ram Ghat, Ps- Chanpatiya Dist- West Champaran
5. Arjun Ram son of Garib Ram Village- Tula Ram Ghat, Ps- Chanpatiya Dist- West Champaran

... .. Petitioners.

Versus

1. The State of Bihar
2. Brajesh Ram, son of Rudal Ram, resident of Tula Ram Ghat, P.S. Chanpatiya, District West Champaran.

... .. Opposite Parties.

Appearance :

For the Petitioner/s :	Mr. Binay Kumar
For the Opposite Party/s :	Mr. Ramchandra Sahni
For the O.P. No.2 :	Mr. Dhananjay Kumar No.2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-12-2023 Heard learned counsel for the petitioners and learned A.P.P.

for the State assisted by learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 406, 420, 467, 468, 471 & 504/34 of the Indian Penal Code.

3. Petitioners are said to have illegally sold the land of the informant in favour of others.

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 due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that both the parties are agnates and there is oral partition between them through which they got their share. It is further submitted that the dispute between the parties is civil in nature for which criminal prosecution has been launched. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.

6. 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 Gopalpur P.S. Case No.148 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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