

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73683 of 2023

Arising Out of PS. Case No.-866 Year-2022 Thana- BARHARA District- Bhojpur

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1. Pramod Pandey S/o Rajeshwar Pandey R/o Sabalpur, P.S. Barhara, District- Bhojpur
 2. Umesh Pandey Son of Late Jaleshwar Pandey R/o Sabalpur, P.S. Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Barhara P.S. Case No. 866 of 2022, instituted under
Section 436 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, informant was issued
parcha for the land recorded in Khata No. 3609 Khesra No.
10372 measuring 3 decimal as rehabilitation of land erosion
victims for construction of house for which revenue was paid till
2023. It is further alleged that petitioners along with some
unknown persons demolished the house constructed on the land
and put the same on fire. They also threatened the informant of
assault.



4. Learned counsel for the petitioners submits that the land in question belongs to the petitioners. Informant was never settled over the said land. No house was constructed over the said land by the informant. The said land is in possession of the petitioners. In support of his contention he also attached copy of the order passed by the Sub-Divisional Public Grievance Redressal Officer, Bhojpur wherein it is stated that the said land is the private land of Petitioner No. 1. Petitioners are innocent. They have falsely been implicated in this case due to land dispute. Petitioners have no criminal antecedent.

5. Learned counsel for the informant on the other hand submits that the said land has been settled in favour of the informant in the year 1988.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Barhara



P.S. Case No. 866 of 2022, subject to the conditions laid down
in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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