

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71823 of 2022

Arising Out of PS. Case No.-898 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. LALBABU SAH SON OF BHUKHAL SAH R/O VILLAGE- LAXMIPUR, P.S.- TURKAULIYA (RAGHUNATHPUR OP), DISTRICT- EAST CHAMPARAN
 2. JAVED AKHTAR SON OF SK. ABDULLAH R/O VILLAGE- LAXMIPUR, P.S.- TURKAULIYA (RAGHUNATHPUR OP), DISTRICT- EAST CHAMPARAN
 3. BALI YADAV SON OF NAGINA YADAV R/O VILLAGE- SHANKAR SARAIYA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 4. HARIHAR PD. YADAV @ HARIHAR PRASAD YADAV SON OF THAKUR YADAV R/O VILLAGE- SHANKAR SARAIYA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 5. VINOD YADAV SON OF ANWAT YADAV R/O VILLAGE- SHANKAR SARAIYA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 6. DARSHAN YADAV SON OF BANWARI YADAV R/O VILLAGE- SHANKAR SARAIYA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 7. BRIJ KISHOR KUMAR SINGH @ BRIJKISHOR KR. SINGH SON OF NAGENDRA SINGH R/O VILLAGE- SHANKAR SARAIYA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Asif Kalim
For the Opposite Party/s :	Mr.Suman Kumari Singh
	Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-07-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 420, 406, 384, 504, 506, 120(B)/34 of the Indian Penal Code.



3. Allegation against petitioners is that they alongwith other F.I.R. named co-accused persons committed *Maarpeet* with informant, attempted to kill him and thereafter, fraudulently executed sale-deed of ancestral land of the informant.

4. It is submitted on behalf of petitioners that admittedly, there is land dispute between the parties. In fact, Ramnaresh Sharma and Rambachan Sharma, claiming themselves as *Pattidars* of the informant, sold some land to petitioner no. 1, but the informant and his family members still claiming their right and possession over the said land and only to put pressure on the petitioners, the present false case has been lodged against them. There is case and counter case. It is further submitted that with regard to land in question, the informant and others have already filed a title suit, vide Title Suit No. 499 of 2021, which is pending in the court of learned Sub-Judge, Motihari (Annexure 2 to the supplementary affidavit). It is lastly submitted that the dispute is purely of a civil nature.

5. However, learned counsel for the State and informant vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 898 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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