

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56132 of 2024

Arising Out of Case No.-349 Year-2022 SAHARSA COMPLAINT CASE District- Saharsa

1. CHANCHAL SAH SON OF LATE DAMODAR SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA
2. MOHAN SAH SON OF LATE DAMODAR SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA
3. MAKHAN SAH @ AKHAN SAH @ MAAKHAN SAH SON OF LATE DAMODAR SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA
4. SUSHIL SAH @ SUSHIL KUMAR @ SHUSIL SAH SON OF LATE DAMODAR SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA
5. DEEPAK KUMAR SON OF LATE DAMODAR SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAGHUNATH SAH SON OF LATE MAHENDRA SAH RESIDENT OF MOHALLA - GANGJALA SAHARSA WARD NO. 15, P.S. AND DISTRICT - SAHARSA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-09-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 349/ 2022 dated 26.09.2018 registered for the offence(s) punishable under Section(s) 467, 468, 471, 420 read with section 34 of the Indian Penal Code.

3. Mr. Amarnath Jha, learned counsel for the



petitioners submits that the petitioners have been falsely implicated in this case and both the parties are co-sharers and in between them there is land dispute and Title Suit No. 206/ 2018 is also pending in the court of learned Sub-Judge-I, Saharsa in between the parties and after investigation the petitioners were not sent up for trial by the police.

4. Mr. Rabindra Kumar, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having considered the submissions herein noted above and mainly the facts that both the parties are co-sharers and with regard to the alleged land dispute Title Suit No. 206/ 2018 is also pending in the court of learned Sub-Judge-I, Saharsa in between them and after investigation the petitioners were not sent up for trial by the police, however, cognizance of the alleged offences has been taken by the learned trial court, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 349/ 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the Court concerned, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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