

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53446 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- JOGAPATTI District- West Champaran

1. Bahadur Pandit Son of Jagdish Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran
2. Lalan Pandit Son of Jagdish Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran
3. Ravindra Pandit Son of Jagdish Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran
4. Lalbabu Pandit @ Lalbabu Kumar Son of Jagdish Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran
5. Jagdish Pandit Son of Late Shiv Charan Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran
6. Pratima Devi @ Pratima Pandit @ Jatia Devi Wife of Late Nagendra Pandit R/O Vill.- Fatehpur, P.s.- Yogapatti, Dist.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Learned counsel for the petitioners submits that the petitioner nos. 3 and 5 have been apprehended by the police, therefore, he seeks permission to withdraw this application with regard to petitioner nos. 3 and 5.

2. Permission is granted.

3. Accordingly, this application is dismissed as withdrawn with regard to petitioner nos. 3 and 5.

4. Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State for



consideration of bail with regard to rest of the petitioners.

5. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 327, 384, 420, 406, 120(B), 467, 468, 471 of the Indian Penal Code.

6. Petitioners along with other accused persons are said to have under conspiracy sole the land of the informant and demanded Rangadari from him.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the instant case is counter version of Yogapatti P.S. Case No. 47 of 2024 in which the informant too is an accused along with others. He submits that the mutation of the said land has been made by the competent authority in favour of petitioner no. 2. He submits that there is no specific overt act against the petitioners. He further submits that petitioner no. 6 has no criminal antecedent whereas rest of the petitioners have two criminal antecedents as stated in para-3 of the bail application.

8. Learned APP for the State and informant opposes the prayer for bail submit that there is ample evidence against the petitioners in the case diary and all the witnesses



have supported the prosecution case.

9. Considering the facts and circumstances of the case and the fact that the dispute is of civil in nature, let the above named petitioner nos. 1, 2, 4 and 6 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Yogapatti P.S. Case No. 44 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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