

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66642 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- BUNIYAD GANJ District- Gaya

1. RAJ KUMAR SINGH son of Late Gokhul Singh Village- Gangti Tola Rampur Ps- Buniyadganj Dist- Gaya
2. Ashok Singh @ Ashok Kumar Singh son of Late Gokhul Singh Village- Gangti Tola Rampur Ps- Buniyadganj Dist- Gaya
3. Navin Kumar son of Ashok Singh @ Ashok Kumar Singh Village- Gangti Tola Rampur Ps- Buniyadganj Dist- Gaya
4. Jay Kumar Singh @ Jayraj Kumar @ Jayram Singh son of Prahlad Singh Village- Gangti Tola Rampur Ps- Buniyadganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivendra Prasad
For the Opposite Party/s	:	Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this case, the petitioners are apprehending their arrest in connection with Buniyadganj P.S. Case No. 118 of 2021 registered for the offences under Section 323, 341, 504, 506, 385, 387/34 of the Indian Penal Code.

3. As per prosecution case, petitioners armed with *lathi* and *danda* uprooted the pillar from the land of the informant and threatened the informant to leave the land and demanded Rs. 2 lakhs as extortion money. Informant further al-



leged that the petitioners wanted to grab his land illegally.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submits that the petitioners have purchased the land in question from one Ratan Singh who is having half share in the joint family property and from his share the land in question was purchased. There is a bonafide civil dispute between the parties which has been given a criminal colour. On the alleged date of occurrence, the Shradh ceremony of the wife of the petitioner no. 1, Raj Kumar Singh, had been taking place and the whole family was busy in it and it has been falsely alleged that the petitioners went and threatened the informant. Learned counsel further submits that except petitioner no. 3, Navin Kumar, all other petitioners are having criminal antecedent of one case each.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the civil nature of dispute and the strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of



eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned court of learned ACJM - VIII, Gaya/court concerned in connection with Buniyadganj P.S. Case No. 118 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:-

- I. One of the bailors will be a close relative of the petitioners.
- II. The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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