

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7021 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -SC/ST District- JEHANABAD

1. Mahadeo Sao son of Late Shivlal Sao
2. Arjun Sao son of Late Jhapsi Sao
3. Chunnu Sao @ Chunu Sao son of Arjun Sao
4. Prabhakar Sao son of Arjun Sao
5. Dhananjay Sao son of Arjun Sao
6. Nanhe Sao son of Mahadev Sao
- All residents of village - Paltu Bigha, P.S. - Makhdumpur, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Jharkhandi Upadhyay
For the Opposite Party/s Mr. Ambika Bhagat (Spl.PP)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

05/ 29.06.2015

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioner nos.1 and 6, namely, Mahadeo Sao and Nanhe Sao had already been arrested and their petition for anticipatory bail had already been dismissed being infructuous.

So far as rest petitioners are concerned, no specific overt-act has been attributed against them.

The contention on behalf of petitioners is that informant, with mala fide intention, lodged this false case because petitioners and other villagers raised objection when the informant made attempt to construct a house on government land.

Para 7 of the case diary reveals that house of the informant was found on the place of the occurrence and the Investigating officer did not find any demolished house on the place of occurrence. Moreover, several villagers have filed petition against the informant in respect of her so-called misdeed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner nos. 2 to 5, namely, Arjun Sao, Chunnu Sao @ Chunu Sao, Prabhakar Sao and Dhananjay Sao be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Jehanabad SC/ST P.S. Case no. 50/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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