

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 20099 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Raj Narayan Bhagat Son of Late Ramfal Bhagat
 2. Sonelal Bhagat @ Sona Lal Bhagat Son of Ram Narayan Bhagat
 3. Munilal Bhagat Son of Ram Narayan Bhagat
 4. Anuthalal Bhagat Son of Raj Narayan Bhagat null
 5. Lalan Bhagat Son of Raj Narayan Bhagat
 6. Pradeep Bhagat Son of Raj Narayan Bhagat
 7. Chandrika Bhagat Son of Late Devilal Bhagat
 8. Harendra Bhagat Son of Late Lochan Bhagat
 9. Rajesh Bhagat Son of Harendra Bhagat
 10. Ashok Bhagat Son of Late Harendra Bhagat
 11. Mahendra Bhagat Son of Late Lochan Bhagat
 12. Gajendra Bhagat @ Gandra Bhagat Son of Late Lochan Bhagat
 13. Santosh Bhagat Son of Late Devi Lal Bhagat
 14. Chunchun Bhagat Son of Late Devi Lal Bhagat
 15. Dinesh Bhagat @ Kasar Bhagat Son of Devi Lal Bhagat.
- All resident of village - Chaita Devi Rai Tola, Police Station - Pakaridayal,
District - East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 18-06-2015 Heard Sri Anil Kumar, learned counsel for petitioners
and Smt. Veena Kumari Jaiswal, learned Addl. Public Prosecutor.

Fifteen petitioners, apprehending their arrest in
Pakaridayal P.S. Case No. 271 of 2014 registered for the offence
under Sections 147, 148, 149, 447, 311, 323, 307, 379 & 504 of
the Indian Penal Code, have prayed for grant of anticipatory bail.



Learned counsel for petitioners submits that ofcourse, section 307 of the I.P.C. has been incorporated in the body of the F.I.R., on perusal of the F.I.R. as well as injury report, it is evident that no offence under Section 307 of the I.P.C. is made out. He further submits that on perusal of the F.I.R. itself, it is evident that land dispute in between the parties was going on since long and there was litigation in between the parties. He further submits that in this case, alleged occurrence had taken place on 31-10-2014, however; much belatedly on 09-11-2014, F.I.R. was lodged. From the petitioners' side also, one another F.I.R. was lodged for the offence under Section 307 & other allied sections of the I.P.C., vide Pakaridayal P.S. Case No. 275 of 2014.

Learned Addl. Public Prosecutor has opposed the prayer of anticipatory bail.

Besides hearing, I have also perused the materials available on record. It appears that there is general and omnibus allegation and in the occurrence, no lethal weapon has been used. It is also a fact that litigation in between the parties was going on.

In view of the facts and circumstances, the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail to all the petitioners.

Accordingly, let the aforesaid petitioners, namely;

1.Raj Narayan Bhagat, 2. Sonelal Bhagat @ Sona Lal Bhagat, 3.Munilal Bhagat, 4. Anuthalal Bhagat, 5. Lalan Bhagat, 6.Pradeep Bhagat, 7. Chandrika Bhagat, 8. Harendra Bhagat, 9.Rajesh Bhagat, 10. Ashok Bhagat, 11. Mahendra Bhagat, 12.Gajendra Bhagat @ Gandra Bhagat, 13. Santosh Bhagat, 14.Chunchun Bhagat and 15. Dinesh Bhagat @ Kasar Bhagat be enlarged on bail in the event of their arrest or surrender before the court below within a period of one month from today on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Motihari in connection with Pakaridayal P.S. Case No. 271 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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