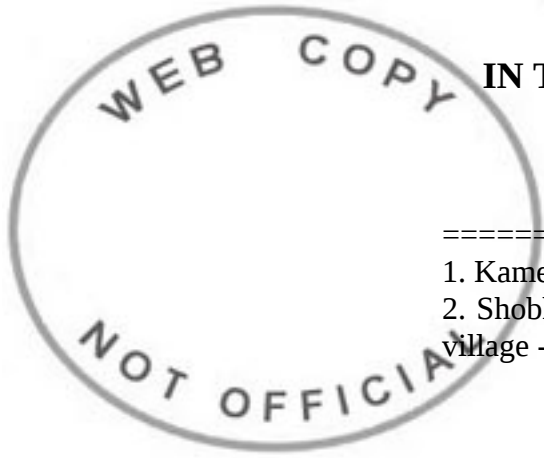




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28752 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

- =====
1. Kameshwar Rai @ Rameshwar Rai son of Sobhit Rai
 2. Shobhit Rai @ Ram Sobhit Rai son of Batahu Rai Both are residents of village - Warishpur Mal, Police Station - Bhagwanpur, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 The petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No.49 of 2015 for the offences instituted under Sections 147,148, 149, 323, 324, 332, 333, 353 and 307 of the Indian Penad Code.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that the on 26.3.2015 Chowkidar Bikau Rai informed on his mobile that Kailash Rai, Ram Briksh Rai alongwith some other persons were making plan for constructing roof on the disputed land. On such



information he and other police personnel proceeded and reached in the village Warishpur Mal then he saw all the named accused persons are making roof when he told that on the land there is 146 Cr.P.C. proceeding is going on and, therefore, a chowkidar has been deputed. It is further alleged that when the informant said that they are violating the order of the court then all the accused persons started pelting stones, bricks and assaulting by lathi and stick.

It has been submitted on behalf of the petitioners that they have been made accused due to mistake of fact. The petitioners have no concern with the present occurrence. It is further submitted that the petitioners have no criminal antecedent.

It is stated on behalf of the State that the petitioners have been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, 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 Smt. Niharika, J.M. 1st Class, Vaishali at Hajipur, in Bhagwanpur P.S.

Case No.49/15 subject to the conditions as laid down under
Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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