

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43666 of 2015

Arising Out of PS. Case No. -24 Year- 2014 Thana -KARJAIN District- SUPAUL

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1. Munga Lal Sah, Son of Late Kusum Lal Sah,
2. Lavkesh Kumar @ Lavesk Kumar Sah, Son of Shri Heera Lal Sah,
3. Bechan Sah, Son of Shri Shiv Narayan Sah,
4. Sunil Kumar Sah, Son of Shri Bechan Sah,
5. Anil Kumar Sah, Son of Shri Bechan Sah,
All Residents of village- Hariraha, P.S.- Karjain, District- Supaul
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivpujan Sahay

For the Opposite Party/s : Mr. M. Rab (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioners and the
State.

The petitioners apprehend their arrest in a case under
Sections 147, 149, 341, 323, 379, 324, 325, 504 and 506 of the
Indian Penal Code. The police after investigation submitted
charge-sheet under Sections 148, 323, 324, 354, 504 and 506 of
the Indian Penal Code. However, the court below also took
cognizance under Section 379 of the Indian Penal Code.

The case of the petitioners is that they are neighbours
of the informant and they have been falsely implicated on account
of land dispute and the previous case, bearing Karjain P.S. case
no. 22 of 2014, lodged by petitioner no.3, namely, Bechan Sah.

The learned Sessions Judge in the impugned order observed that anticipatory bail is not maintainable, as the petitioners are already on police bail.

In the circumstances, the petitioners should appear before the court below (Shri Afjal Alam, Judicial Magistrate, Birpur, Supaul) in Karjain P.S. case no. 24 of 2014 and the learned Magistrate would pass appropriate order taking into consideration that they are on police bail.

This application stands disposed of.

(Samarendra Pratap Singh, J.)

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