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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8197 of 2016

Arising Out of PS.Case No. -280 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Prabhu Choudhary @ Prabhu Nath Yadav, Son of Ramdhari Yadav.
2. Vikash Yadav @ Vikash Kumar Yadav, Son of Prabhu Choudhary.
3. Chhatish Yadav @ Satish Yadav @ Satish Kumar Yadav, Son of Prabhu Choudhary.
4. Lal Bahadur, Son of Late Ram Preet Ahir.
5. Shyam Bahadur @ Shyam Bahadur Yadav, Son of Late Ram Preet Ahir.
6. Matabar Choudhary @ Matabar Yadav, Son of Late Ram Preet Ahir.
7. Jang Bahadur Choudhary @ Babuwajee, Son of Late Ram Preet Ahir.
8. Dilip Choudhary @ Dilip Yadav, Son of Matabar Choudhary.
9. Sanjay Choudhary @ Sanjay Choudhary Son of Jang Bahadur Choudhary.
10. Amar Nath @ Amar Nath Yadav, Son of Lal Bahadur
11. Neeraj Choudhary @ Neeraj Yadav, Son of Shyam Bahadur. All are residents of village + Post + P.S. Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Shankar Tiwari, Advocate
For the Opposite Party/s : Mr. Durgesh Nandan(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend arrest in connection with Hussainganj P.S. Case No. 280/15 for offences alleged under Sections 147, 148, 149, 323, 324, 384, 427, 506 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that on 04.10.2015 when the informant started construction work all the petitioners came to the land and damaged the house of the informant and assaulted the labourer and the informant.

It has been submitted by the learned counsel for the petitioners that they are innocent having no criminal antecedent and the matter relates to civil dispute for which Title Suit No. 781 of 2015 is pending between the petitioners side and the informant side. It has further been submitted that no case under Section 384 I.P.C. is made out against the petitioners.

However, learned APP for the State submits that petitioners earlier also obstructed the informant for which First Information Report No. 165/15 was lodged against them in which proceedings under Section 107 Cr.P.C. was initiated against both parties, hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Hussainganj P.S. Case No. 280/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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