

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27737 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. ASHOK SAH @ ASHOK KR. SAW S/o - Dwarika Sah
2. Rakesh Kumar
3. Sukesh Kumar
4. Mukesh Kumar
5. Vicky Kumar, All Petitioner nos. 2 - 5 are S/o - Ashok Sah
All are R/o - Vill. - Miyan Chak, Mahabir Asthan Chatti Road, P.S. -
Begusarai Town, Dist. - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. N.N.Tiwary(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with Begusarai Town P.S. Case No. 92 of 2016 for the offences
registered under Sections 147, 148, 448, 323, 427, 387 of the
Indian Penal Code.

Learned counsel for the petitioners submits that
admittedly, the occurrence took place on account of flow of
drainage water and the petitioner's act is only of having blocked
the same. It is further submitted that informant has lodged a case
under Section 133 Cr.P.C. before the SDM, Begusarai and on
the basis of which, the police came for enquiry. However, it is
alleged that after their departure, the accused persons became
aggressive and assaulted the informant.

Considering the nature of allegation and that admittedly the occurrence took place on account of dispute with regard to flow of drainage water for which a proceeding is already pending between the parties and also the fact that the petitioner has got no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 92 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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