

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28464 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Mathura Bahardar, S/o late Fakir Bahardar
 2. Santosh Bahardar, S/o Sri Devilal Bahardar
 3. Manoj Bahardar, S/o Sri Devilal Bahardar
 4. Kanhaiya Bahardar, S/o Sri Devilal Bahardar
 5. Ramwati Devi @ Rambati Devi, W/o Sri Devilal Bahardar
 6. Rameshwar Bahardar, S/o late Shukal Bahardar
 7. Sevilal Bahardar, S/o late Shukal Bahardar
 8. Mangana Bahardar, S/o Sri Sekilal Bahardar
 9. Mahendra Bahardar, S/o late Shukal Bahardar

All residents of village- Rampur North, ward no. 10, P.S.- Forbisganj,
District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr. Anil Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-07-2016

Heard Sri Bishwajeet Singh, learned counsel for the
petitioners and Sri Anil Kumar Singh, learned Addl. Public
Prosecutor.

Nine petitioners, apprehending their arrest in
Forbisganj P.S. Case no.69/16 registered for the offence under
Sections 147,148, 149, 341, 342, 324, 307, 380, 504, 508 of the
Indian Penal Code, have prayed for grant of anticipatory bail.

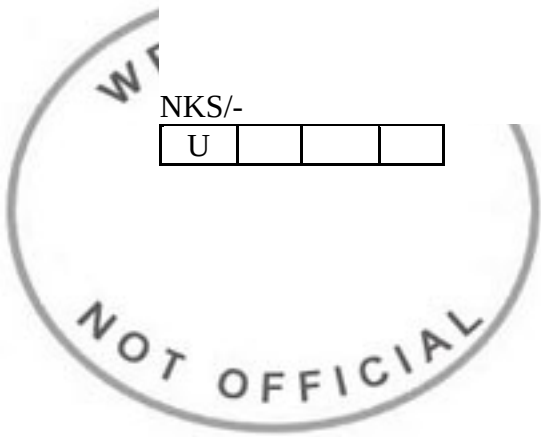
By way of referring to F.I.R. it was submitted by
learned counsel for the petitioners that in view of land dispute,

occurrence had taken place. It was free-fight between the parties. Even from the petitioners side, on the same day, an F.I.R. vide Forbisganj P.S. Case No.70/16 was registered for the offence under Sections 147, 148, 149, 341, 342, 323, 307, 354, 379, 380, 504, 506 of the Indian Penal Code. It has been argued that in the case, which was registered from the petitioners side, some of the accused persons have been granted anticipatory bail.

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

However, keeping in view the fact that there were case and counter case as well as the fact that land dispute between the parties are going on, besides it has been indicated that the petitioners are having clean antecedent, let the petitioners, namely, (i) Mathura Bahardar (ii) Santosh Bahardar (iii) Manoj Bahardar (iv) Kanhaiya Bahardar (v) Ramwati Devi @ Rambati Devi (vi) Rameshwar Bahardar (vii) Sevilal Bahardar (viii) Mangana Bahardar (ix) Mahendra Bahardar, in the event of their arrest or surrender within six 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, Araria in connection with Forbisganj P.S. Case no.69/16, subject to conditions as laid down in Section

438(2) of the Code of Criminal Procedure.



(Rakesh Kumar, J)