

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42578 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sohan Ram son of Jagannath Ram
 2. Adalat Ram son of Asharfi Ram
 3. Rajesh Ram son of Ram Lochan Ram
 4. Satyanarain Ram @ Satyanarayan RAm son of Lalji Ram
 5. Ramnarain Ram @ Anil Kumar @ Ramnarayan Ram son of Lalji Ram
 6. Mohammad Azad @ Md. Azad @ Azad Alam son of Serajul Mian
- Pet. 1 -4 residents of Village- Salaha, P.S.- Chautarwa
Resident of Village- Patilar, P.S. Chautarwa All the petitioners within
the district of West Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Amarendra Nath Verma, Adv.
For the Opposite Party : Mr. Pradeep Narain Kumar, APP.
For the Informant : Mr. Baxi.S.R.P.Sinha, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioners seek bail in a case registered for the

offences punishable under Sections 147, 148, 149, 353, 337, 323,

307, 379, 411, 188 and 504 of the Indian Penal Code.

Petitioners are named in the First Information

Report along with others and it is alleged that more than 100

persons being armed with deadly weapons, cut the paddy from

disputed filed, in respect of which, a proceeding under section 144 of the Cr.P.C. was going on and a Bench of this Court had restrained the parties not to interfere into the possession of the land holder till further order.

The informant claims that having got information regarding the violation of the order of this Court as well as cutting of paddy from the disputed field, he went there and tried to restrain the petitioners and others but they became furious and started pelting stones.

Learned counsel appearing on behalf of the petitioners submits that according to prosecution case itself, no one sustained injury in the present case and as a matter of fact, proceeding under section 144 of the Cr.P.C. was initiated on 02.11.2015, whereas the present case was lodged on 03.11.2015. It is further submitted that the petitioners are not parties to the writ, pending in this Court.

Learned counsel appearing on behalf of the land holder submits that it is a serious case of violation of Court's order and, moreover, some other co-accused came before this Court for grant of bail and a Co-ordinate Bench of this Court directed to list their matter along with Writ Petition, pending before a Bench of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the petitioners do not have any criminal antecedent and are languishing in jail custody for more than one and half months, let the petitioners 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 learned Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Chautarwa P.S. Case No. 282 of 2015.

(Hemant Kumar Srivastava, J.)

Amit/-

U		T	
---	--	---	--