

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29222 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -MAHKAR District- GAYA

- =====
1. Ajay Chauhan, Son of Bundela Chauhan,
 2. Randhir Chauhan, Son of Sitaram Chauhan,
 3. Sudhir Chauhan, Son of Sitaram Chauhan,
 4. Bade Chauhan, Son of Bashist Chauhan,
 5. Gautam Kumar, Son of Arjun Singh,
 6. Sitaram Chauhan, Son of Dharam Chauhan.

All residents of Village- Nai Bazar (Mahakar), P.S- Mahakar,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mrs. Sucheta Yadav

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Mahkar P.S. Case No. 38 of 2016, disclosing
offences under Sections 147, 149, 323, 307, 353 and 427
of the Indian Penal Code and Sections 3/4 of Damage of

Public Property Act.

The petitioners are named in the First Information Report.

The Executive Magistrate, Neemchak Bathani Headquarters, Khizarsarai, Gaya, is the informant of this case. According to the informant, he was on duty with police party on the eve of "Ramnawami". When they noticed three trucks, overloaded with sand, they intercepted the same and asked for papers. Instead of giving the papers, the drivers of said trucks called the local people and attacked the police party. They damaged the government vehicles also. One of the co-accused, namely, Sona Devi, was arrested by the police.

Learned counsel for the petitioners has submitted that there is no specific allegation against anyone against any of these petitioners. He has also submitted that no offence, under Section 307 of the Indian Penal Code, is made out against these petitioners on the basis of what has been alleged in the First Information Report.

Considering the facts and circumstances and nature of accusation, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be

released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Gaya**, in connection with **Mahkar P.S. Case No. 38 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, above named, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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