

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.28828 of 2017**

Arising Out of PS.Case No. -66 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

- =====
1. Kawindra Pal, Son of Rambachan Pal
  2. Kamlesh @ Kamlesh Ram, Son of Sri kisun Ram,
  3. Bikrama Ram, Son of Sri Kishun Ram,
  4. Srikisun Ram, Son of Late Hardeo Ram,
  5. Suresh Ram, Son of Lal Bihari Ram,
  6. Manoj Ram @ Manoj Kumar, Son of Ramlal Ram
- All Resident of Village- Indaur, P.S.- Dinara, District- Rohtas.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh with  
Mr. Vijay Kishore Bharti, Advocates

For the Informant : Mr. Satyendra Prasad Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**Date: 10-08-2017**

Heard learned counsel for the petitioners, learned A.P.P.  
for the State and learned counsel for the informant, who has *suo motu*  
appeared.

2. The petitioners apprehend arrest in connection with  
Dinara P.S. Case No. 66 of 2017 dated 14.03.2017 instituted under  
Sections 147/148/149/341/323/324/325/326/307 of the Indian Penal



Code and 27 of the Arms Act.

3. The allegation against the petitioners is of forcibly trying to fish in a Government pond which was resisted by the informant and others leading to scuffle in which there is allegation of assault against the petitioners.

4. Learned counsel for the petitioners submitted that it is a Government pond and when the informant was fishing, the petitioners also wanted to fish, which was opposed leading to scuffle. It was further submitted that there is a counter case lodged in the S.C./S.T. police station for the same occurrence on the same day. Learned counsel submitted that for the same occurrence, two cases have been lodged in which petitioners no. 2, 3 and 4 have been made accused and have been granted anticipatory bail and except for that the petitioners have no criminal antecedent.

5. Learned A.P.P. is not in a position to dispute the fact that there is case and counter case.

6. Learned counsel for the informant submitted that the petitioners were forcibly trying to fish in a Government pond which was objected leading to this incident.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within four weeks from



today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1<sup>st</sup> Class, Bikramganj (Rohtas) in Dinara P.S. Case No. 66 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. Any violation of the terms and conditions of the bond shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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