

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30341 of 2017**

Arising Out of PS.Case No. -51 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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1. Ratnesh Mishra @ Chhau Mishra @ Ratnesh Kr. Mishra @ Chhote Son of Kailash Mishra  
2. Akhilesh Mishra @ Dipu Mishra @ Akhilesh Kumar Mishra @Dipu, Son of Bhirgunath Mishra. Both Resident of Village-Bharpurwa, Police Station-Vajaipur, District-Gopalganj.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate  
For the Opposite Party/s : Smt. Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      06-07-2017                      Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in connection with a case registered under Sections 353, 188/34 of the Indian Penal Code.

Allegation in brief is that the informant-Circle Officer went over the Gairmazrua Aam land which was encroached by accused persons and asked the encroacher to vacate the land but they refused to do so saying that the land in question was raiyati land and they also misbehaved with the informant.

It is submitted that no any proceeding under Public Encroachment Act was there. The petitioners claimed that land as



his raiyati land, no proceeding under Section 144 Cr.P.C. was going on and the petitioners have no criminal antecedent.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner, namely, Ratnesh Mishra @ Chhau Mishra @ Ratnesh Kr. Mishra @ Chhote and Akhilesh Mishra @ Dipu Mishra @ Akhilesh Kumar Mishra @ Dipu 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 4<sup>th</sup> Additional Chief Judicial Magistrate, Gopalganj in connection with Vijaipur P.S. Case No.51 of 2017, G.R. No.1069 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Arun Kumar, J)**

N.H./-

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