

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53950 of 2017

Arising Out of PS.Case No. -326 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Ali Asgar, son of Hasan Imam
2. Javed @ Javed Akhtar, son of Mohammad
3. Haidar Ali, son of Islul Haque
4. Murtuza @ Murutuza, son of Mukhtar
All resident of village – Bhogari, P.S. – Manjhaulia, District – West
Champaran at Bettiah.
5. Sheikh Safdar, son of Sheikh Isha
6. Karim Gaddi, son of Isha Gaddi
7. Shamshuddin Gaddi, son of Saheb Gaddi
All resident of village – Bathna, P.S. – Manjhaulia, District – West
Champaran at Bettiah.
8. Mithilesh Ojha, son of Sri Lalu Ojha, resident of village – Birwa, P.S. –
Manjhaulia, District – West Champaran at Bettiah.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Anita Kumari, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 09-11-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners, in the present, case, are
seeking Anticipatory Bail in connection with Manjhaulia
P.S. Case No. 326/2017 for the offences under Sections
147, 148, 149, 353, 504 and 341 of the Indian Penal Code.

Learned counsel for the petitioners submits
that the present case has been lodged by the Block
Development Officer, Manjhaulia only because the persons



affected by the flood in the region went to his office to complain about not taking seriously of the relief work.

Learned counsel submits that it is out and out a case of false implication, and on perusal of the F.I.R., it would appear that there is no allegation either to cause any damage to the office or to any public property. The allegations are general and omnibus. According to the allegations, petitioners along with 300 unknown persons had come to the Block Office lashed with *lathi* and *danda*, they assembled unlawfully there and also blocked N.H.-28B for three hours.

Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the nature of allegation and the fact that there is no allegation of either assault to any Officer or causing any damage to any public property, in the event of their arrest/surrender before the court below within a period of four weeks, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Manjhaulia P.S. Case No. 326/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

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