

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4653 of 2017

Arising Out of PS.Case No. -305 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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1. Gopal Bhagat, S/o Late Nandkeshwar Bhagat
 2. Pradeep Bhagat @ Pradeep Kumar Bhagat
 3. Jai Prakash Bhagat @ Bhuttu @ Jay Prakash Kumar (Bhuttu)
 4. Urmila Devi, W/o Gopal Bhagat
All resident of Village- Sitanabad, Chowk Bazar, P.S. Simri
Bakhtiyarpur, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Bakhtiyarpur P.S. Case No. 305 of 2016 (G.R. 2266 of 2016),
registered for the offences punishable under Sections 323, 324,
325, 326, 448, 380, 354(B), 504, 506/34 of the Indian Penal Code.

At the very outset, it is submitted that the occurrence
is alleged to be 01.03.2016 whereas complaint petition was filed
on 27.07.2016 after much delay, without any sufficient
explanation the complaint case has been filed with legal brain, no
offence as alleged is made out, all the allegations are concocted
and baseless. Due to land dispute the case has been filed and, as



such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that on the basis of complaint petition this case has been registered after much delay, and as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 Chief Judicial Magistrate, Saharsa, in connection with Bakhtiyarpur P.S. Case No. 305 of 2016 (G.R. 2266 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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