

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11018 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -BAJPATTI District- SITAMARHI

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1. Rakesh Singh son of Surendra Singh
 2. Mukesh Kumar @ Mukesh Singh son of Surendra Singh
 3. Lalan Singh son of Late Ram Briksha Singh
 4. Arun Singh son of Ram Janam Singh
 5. Ram Janam Singh son of Late Rajendra Singh
 6. Ram Udit Singh son of Late Kumari Singh All are residents of Village - Balha Manorath, P.S. - Bajpatti, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 03-05-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Bazpatti P.S. Case No. 208 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 379, 504 and 506 of the I.P.C and section 27 of the Arms Act.

The learned counsel for the petitioners submits that due to the land dispute between the parties case and counter case have been lodged by both the parties. C.W.J.C. No. 8829 of 2015 was filed by petitioner no. 5 Ram Janam Singh against the informant side for removal of the encroachment on the public road which was done by Ram Ekbal Singh, the father of the informant.



The said writ petition was disposed of on 03.10.2016 directing the District Magistrate-Cum-Collector, Sitamarhi to act in the said matter in accordance with law. When the said encroachment was removed, the prosecution party being aggrieved by the petitioners indulged in assault and lodged this false case implicating the petitioners. No sharp cut injury has been found on the person of the informant or on other injured. The entire prosecution story appears concocted and baseless, nothing has been recovered from conscious possession of the petitioners hence the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that the co-accused Narendra Singh @ Bhola Singh has been allowed pre-arrest bail vide Cr. Misc. No. 9797 of 2017.

In the facts and circumstances as stated above, the petitioners, in case 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. S.D.J.M. Pupari at Sitamarhi in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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