

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11145 of 2018

Arising Out of PS. Case No.-226 Year-2015 Thana- GOGRI District- Khagaria

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1. Deonarayan Das @ Devo, son of Ram Swarup Das,
 2. Subhash Das @ Subhash Kr. Das, Son of Gorelal Das,
 3. Ritesh Das @ Ritesh Kumar Das, son of Budho Das @ Budhhu Das,
- All resident of village-Fudkichak, P.S. Gogari, District-Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. SRI PARMESHWAR MEHTA

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gogri P.S. Case no. 226 of 2015, registered under Section 147, 149, 448, 323, 341, 379 and 354 of the Indian Penal Code.

The accusation is that on 02.08.2015 in the Panchayati, it was decided to return the land covered under Khesra No. 1756 and 1757 of Khata No. 143 of village Fudkichak. Thereafter, on the next day, seven persons named in the F.I.R. including the petitioners, entered in the house of informant and started to abuse. On protest, Sunita Devi started



to case assault by catching her hair, when three sons of the informant rushed to save then they were also assaulted and in that course Prakash Das snatched golden chain and also took papers and ornaments kept in the box.

Learned counsel for the petitioners submits that due to land dispute this false case has been lodged. Moreover, while the petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioners.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Khagaria in connection with Gogari P.S. Case No. 226 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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