

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4439 of 2018

Arising Out of PS.Case No. -422 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. 1.Ashok Kumar Singh @ Ashok Kumar, S/o Late Raghunath Singh, R/o Village + Post Office + P.S. - Jagdishpur, District- West Champaran.
 2. Satya Narayan Ram S/o Late Motiram, R/o Village- Baharwa, P.S.- Jagdishpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-02-2018

The petitioners have sought pre-arrest bail in connection with Nautan (Jagdishpur) P.S. Case No. 422 of 2017 dated 16.10.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 327, 332, 307, 353, 427, 431, 435, 504, 506, 120(B) of the Indian Penal Code.

The petitioners are said to have led a mob against the encroachment of banks of water bodies which are being used for performing *Chhat Puja*. While protesting against the encroachment, the petitioners and others are alleged to have fought with the police party and also damaged the public property.

Learned counsel for the petitioners has submitted that most of the other accused persons have been granted the privilege of anticipatory bail by the Court below but



only because the petitioners were named as the leaders of the procession, such privilege has not been accorded to them. Learned counsel has further submitted that petitioners were only trying to reason out with the police and the local people for removing the encroachment from the banks of water bodies so that people in general are not put to any discomfort at the time of *Chhat Puja*, but instead of appreciating their acts towards social welfare, they have been made accused in the present case.

For the facts stated above, the petitioners, above named are directed to be released on bail, in the event of their surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to their furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 422 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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