

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7435 of 2018

Arising Out of PS. Case No.-442 Year-2017 Thana- MAIRWA District- Siwan

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1. Guddu Bhagat @ Guddu Kumar Singh, S/o Chandrika Bhagat,
 2. Sandeep Bhagat @ Sandeep Kumar S/o Chandrika Bhagat,
 3. Om Prakash Bhagat @ Om Prakash Kushwaha, S/o Inder Bhagat,
 4. Chandrika Bhagat @ Chandrika Singh S/o Late Ganesh Bhagat,
 5. Ushant Bhagat @ Ushant Kushwaha S/o Late Ramayan Bhagat,
 6. Dinesh Bhagat S/o Chandrika Bhagat,
 7. Pappu Bhagat @ Pappu Kumar S/o Late Janak Bhagat, All R/o Village- Srinagar Mairwa, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Mairwa P.S. case no.
442 of 2017 instituted for the offence under Section(s) 387,
504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
instant case has been filed by the informant only with a purpose
to grab the ancestral land of the petitioners. The land in
question belongs to petitioners as the Jamabandi is also
running in the name of grandfather of the petitioner no.5. The
petitioners have been paying rent to the Government of Bihar.



The photo copy of rent receipt has been annexed as Annexure 2. It is further submitted that petitioners have filed an informatory petition on 21.8. 2007 before the Sub Divisional Officer, Siwan against the present informant and others stating that they are trying to dispossess the petitioners and their pattidars from their land.

In the instant case there is general and omnibus allegation that the petitioners have made demand of *rangdari* from the informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Mairwa P.S. case no. 442 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. VII, Siwan, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without



proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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