

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35960 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -NADI NAINAHA District-
WEST CHAMPARAN (BETTIAH)

=====

1. Bindhyachal Yadav, Son of Mahanth Yadav, resident of Village- Chautarwa, Police Station- Chautarwa, District- West Champaran.
2. Babulal Chaudhary, Son of Rajju Chaudhary, resident of Village- Rewahiya, Police Station- Nadi, District- West Champaran.
3. Singashan Ram, Son of Lakhan Ram, resident of Village- Patilar, Police Station- Choutarawa, District- West Champaran.
4. Rameshwar Bin @ Pakaudi, Son of Sri Kishun Bin, resident of Village- Nainaha, Police Station- Nadi, District- West Champaran.
5. Bhagrashan Ram, Son of Lakhan Ram, resident of Village- Patilar, Police Station- Choutarawa, District- West Champaran.
6. Bikram Bin, Son of Kishun Bin, resident of Village- Rewahiya, Police Station- Nadi, District- West Champaran.
7. Madan Bin @ Madan Mukhia, Son of Kishun Mukhia, resident of Village- Rewahiya, Police Station- Nadi, District- West Champaran.
8. Raghu Nath Thakur, Son of Ramanand Thakur, resident of Village- Rewahiya, Police Station- Nadi, District- West Champaran.
9. Bachha @ Bachwa, Son of Ramadhar Yadav, resident of Village- Binwalia, Police Station- Laukariya, District- West Champaran.
10. Basant Thakur, Son of Satyanarain Thakur, resident of Village- Chiurahi, Police Station- Nadi, District- West



Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Milind Kumar, Adv.

For the Opposite Party/s : Mr. Suresh Pd. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-07-2018 This application for grant of regular bail arises out of Nadi P.S. Case No. 17 of 2018, dated 05.05.2018, instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 332, 333, 427, 353 and 504 of the Indian Penal Code.

When the government officials, under the orders of Sub-Divisional Magistrate, had gone to the village in question for delivering lands to the *parcha*-holders, many persons, who were opposed to the aforesaid distribution, arrived and created a ruckus. The petitioners were also part of the mob. The allegation alleged against the accused persons is of arriving at the place of occurrence with various kinds of weapons and the vehicles of the government officials as well as the police party were also damaged.



The petitioners have been named in the F.I.R., but without any specific accusation.

Learned counsel for the petitioners has submitted that nobody has been injured in the occurrence and unnecessarily, Section 307 of the Indian Penal Code has been added. At best, the case would fall within the mischief of Section 353 of the Indian Penal Code. It has further been submitted that similarly situated nine other accused persons have been granted bail by a Bench of this Court vide order dated 05.07.2018, passed in Cr. Misc. No. 37927 of 2018.

The petitioners are in custody since 21.05.2018.

Regard being had to the aforesaid facts, the petitioners, above named, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagha, West Champaran in connection with Nadi P.S. Case No. 17 of 2018.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

