

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39576 of 2018**

Arising Out of PS.Case No. -423 Year- 2017 Thana -NAUTAN District-  
WESTCHAMPARAN(BETTIAH)

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1. Ashok Kumar Singh son of Late Raghunath Singh
  2. Satya Narayan Ram son of Late Moti Lal Ram
  3. Santosh Kumar Singh son of Nand Kishore Singh
  4. Pawan Kumar Singh son of Late Bachha Singh
  5. Manjit Kumar Singh @ Manjeet Singh son of Jai Narayan Singh
  6. Pintu Singh son of Sheo Nath Singh
  7. Raj Kishore Prasad son of Mahadeo Prasad
  8. Munnilal Paswan son of Late Mathura Paswan
  9. Narayan Sahani son of Lal Babu Sahani
  10. Sudhanshu Kumar Singh son of Vijay Singh
  11. Jata Shankar Singh son of Late Ramsevak Singh
  12. Priyaranjan Singh son of Late Wakil Singh
  13. Nand Kishore Singh son of Raj Narayan Singh
  14. Vijay Kumar Sah @ Vijay Sah son of Mukun Sah
  15. Babu Lal Prasad son of Late Ram Dayal Prasad
  16. Deependra Prasad son of Langatu Prasad
  17. Rakesh Kumar Tiwari @ Rakesh Tiwari son of Paramhansh Tiwari
  18. Chandan Kumar Sah son of Ram Nath Sah
  19. Hari Ram son of Kodai Ram
  20. Sudama Ram son of Chanar Ram
  21. Yugali Ram son of Late Lallan Ram
  22. Ramchandra Ram son of Chirkut Ram
  23. Sitaram Ram son of Late Dukhan Ram
  24. Bhola Ram son of Motilal Ram
  25. Birendra Ram son of Manshi Ram
  26. Narsingh Ram son of Late Sheodhari Ram
  27. Lalu Ram son of Narsingh Ram
  28. Mahadeo Prasad son of Late Mangal Prasad
  29. Anil Ram son of Satyanarayan Ram
  30. Umesh Ram son of Late Bishwanath Ram
  31. Chandrika Sah son of Late Nathuni Sah
  32. Rakesh Kumar Singh @ Rakesh Singh son of Bishwanath Singh
  33. Shashi Kant Tiwari son of Rishikesh Tiwari
  34. Raj Kishore Thakur son of Late Mohan Thakur
  35. Shrikant Sharma son of Late Mahendra Sharma
  36. Baliram Dubey son of Late Gangadhar Dubey All are residents of village - Jagdishpur, Police Station - 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



For the Opposite Party/s : Mr. Mithilesh Kuamr Khare, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

ORAL ORDER

2      09-07-2018                      Heard both sides.

The petitioners apprehend their arrest in Nautan (Jagdishpur) P.S. case No. 423 of 2017 under Section 147, 148, 149, 341, 323, 324, 327, 332, 307, 353, 427, 431, 435, 504, 506, 120B of the Indian Penal Code, Section 34 of Damage to Public Property Act and under Section 9 of Bihar Control of the use of Loud Speaker Act.

The Circle Officer, Nautan got information that the villagers have encroached the road on the eve of Chhatth Puja. The informant went to remove the encroachment. While the informant was pacifying the villagers and trying to remove the encroachment the mob ran amok and assaulted the passers-by.

The learned counsel for the petitioners submits that nobody was injured. Similar case was lodged by the same informant being Nautan P.S. case No. 422 of 2017 (Annexure-6) in which the petitioners have already been granted anticipatory bail vide order passed in Cr. Misc. No. 4439 of 2018. It is submitted that petitioners were trying to remove the encroachment by the side of river so that Chhath Brati would not get any trouble



but the police implicated the petitioners.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Nautan P.S. case No. 423 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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