

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68713 of 2018

Arising Out of PS. Case No.-41 Year-2017 Thana- GAMAHARIYA District- Madhepura

1. Shyamdeo Rishideo
2. Brahmdeo Rishideo Both Sons of Late Permeshwari Rishideo
3. Krityanand Rishideo, Son of Dahu Rishideo
4. Bhogendra Rishideo, Son of Bindeshwari Rishideo.
5. Ashok Rishideo, Son of Mahenda Rishideo.
6. Kari Rishideo, Son of Kutal Rishideo. All Residents of Village-Dular, Ward No. 10, Mehta Tola, Police Station - Gamharia, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 353 and 447/34 of the Indian Penal Code.

Allegation against the petitioners is that they had constructed hutments on the public land on or about 24.03.2017.

Submission is that subsequent thereto the entire government land has been vacated which would be evident from the report dated 07.09.2018 at Annexure-2. Moreover, the



petitioners are also ready to file affidavit at the time of furnishing bail bond that they have no claim on the plot number and area referred in the FIR.

Each of the petitioners shall file affidavit to the aforesaid fact at the time of filing of the bail bond. With the aforesaid observation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Gamharia Police Station Case No. 41 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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