

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59823 of 2018

Arising Out of PS.Case No. -214 Year- 2018 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Arun Singh @ Arun Kumar Singh, Son of Ram Tapsya Singh,
 2. Shailendra Rai @ Mantu Rai, Son of Shyam Nandan Rai,
 3. Ranu Singh, Son of Guddu Singh,
 4. Saurabh Thakur, Son of Kuleshwar Thakur,
 5. Pradeep Singh, Son of Late Lalan Singh,
 6. Shishu Basant Rai @ Pappu Rai, Son of Shyam Nandan Rai, All are resident of Village- Narkatiyaganj Shanti Baag, P.S. Sikarpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 28-09-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 143, 353, 337, 338, 323, 324, 307, 504, 506, 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the self statement of S.I. Rajesh Kumar Jha, Station House Officer of Chanpatia Police Station, is to the effect that on 30.05.2018 informant received secret information that at village Kharkeur



Mahna, two groups, one belonging to Babloo Pandey and other belonging to Damodar Tiwari were obstructing each other in taking possession of the land, when the informant reached the place of occurrence, the accused persons were assaulting each other but when the police reached, the accused persons began pelting bricks and stones and thereby they obstructed the police force in taking control of the situation.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of serious land dispute for which proceedings under Sections 144 and 145 Cr.P.C. are going on between the parties and 145 Cr.P.C. proceeding has been decided in favour of the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioners in the FIR.

Considering the accusation being omnibus and general and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period



of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 214 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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