

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70303 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Suman Soni @ Suman Prasad, son of Late Shiv Narayan Soni.
2. Surendra Soni @ Surendar Prasad Soni, S/o Late Shiv Narayan Soni. Both Resident of Mohalla- Purani Bazar Ramnagar, Ward No.10, P.S. Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ramnagar P.S. Case No. 206 of 2018, disclosing offences under Sections 353 and 427 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1983.

Certain persons, including the petitioners, were alleged protesting against construction of road over a piece of land, according to them, the land belong to them. The authorities were treating them as encroachers and were attempting to remove them. It is in that background, the occurrence is said to have taken place.

Learned counsel, appearing on behalf of the



petitioners, has submitted that a suit is also pending in respect of the same land for declaration of right, title and interest. He further submits that the petitioners shall no more make any hindrance in construction work of the road at the site in question.

Considering the submission advanced on behalf of the petitioners, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned S.D.J.M. Bagaha, West Champaran in Ramnagar P.S Case No. 206 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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