

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3239 of 2019

Arising Out of PS. Case No.-318 Year-2018 Thana- JOGAPATTI District- West
Champanan

-
1. Rajdev Rai aged about 60 years, male son of late Bindeshwari Rai
 2. Ajay Rai aged about 35 years, male son of Rajdev Rai
 3. Sanjay Rai aged about 32 years, male son of Rajdev Rai
 4. Vijay Rai aged about 27 years, male son of Rajdev Rai
 5. Guddu Tiwari aged about 20 years, male son of Ramadhar Rai
 6. Jitendra Rai aged about 32 years, male son of late Nandlal Rai
 7. Asharfi Rai aged about 58 years, male son of late Kamla Rai
 8. Shambhu Rai aged about 55 years, male son of late Dharikshan Rai .
 9. Krishna Rai aged about 48 years, male son of late Dharikshan Rai
 10. Pawan Kumar Tiwari aged about 22 years, male son of Uditia Rai
 11. Vinay Kumar Tiwari aged about 25 years, male son of Uditia Rai
 12. Prem Rai aged about 24 years, male son of Shambhu Rai
 13. Amarpati Devi aged about 43 years, female wife of Asharfi Rai
 14. Sita Devi aged about 28 years, female wife of Jitendra Rai
 15. Mala Devi aged about 45 years, female wife of Shambhu Rai
 16. Shaili Devi aged about 55 years, female wife of Rajdeo Rai
 17. Chunnu Devi aged about 43 years, female wife of Uditia Rai
 18. Ram Parbha Devi @ Rambha Devi aged about 37 years, female wife of Ramadhar Rai
 19. Noor Mohammad Ansari aged about 35 years, male son of late Sahabuddin Mian
 20. Ramayodhya Rai aged about 60 years, male son of late Bindeshwari Rai
 21. Binda Devi aged about 43 years, female wife of Ramayodhya Rai
- All are residents of village-Mishrauli, Panchayat Bahuarwa, Police Station
-Sanichari, District-West Champanan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioners and learned APP for
the State.

2. The petitioners apprehend their arrest for the offences alleged
under Sections 147, 148, 149, 341, 323, 387, 504 and 506 of the
Indian Penal Code registered in connection with Yogapatti



(Sanichari) P.S. Case No. 318 of 2018.

3. It is submitted that the petitioners have been falsely implicated and as many as 26 persons have been made accused in the backdrop of the admitted land dispute in terms of Title Suit No. 107 of 2016 which is pending. There is general and omnibus allegation against petitioner no. 1 Rajdev Rai along with others who is said to have made extortion demand of rupees ten lakhs. The petitioners claim clean antecedents except petitioner nos. 1, 7 and 18 who have one other prior case of different nature in which they have been made accused.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Yogapatti (Sanichari) P.S. Case No. 318 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners nos. 13, 14, 15, 16, 17, 18 and 21 will be well represented and other petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when



so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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

