

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6388 of 2019

Arising Out of PS. Case No.-109 Year-2018 Thana- MUFFASIL District- West Champaran

1. Harilal Sah, son of Chhuni Sah
 2. Sonelal Sah @ Sonelal Gupta, son of Madan Sah
- Both are residents of Village - Banuchhapar, Ward no. - 4, P.S.-Bettihah (Muffasil) Banuchhapar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-02-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out Bettiah (Muffasil) Banuchhapar Police Station Case No. 109 of 2018, disclosing offences under Sections 147, 148, 188, 308, 447, 504, 506, 353 and 332 of the Indian Penal Code.

It is alleged that when the Circle Officer and Najir of the Civil Court were in the process of delivering possession in respect of certain piece of land, persons, nearly 100 in number, including these petitioners, caused obstruction. When the informant, who is the Circle Officer, attempted to pacify, persons in crowd abused him and damaged the JCB's shield,



which was being used for the purpose of delivery of possession.

One co-accused, Chhatu Sharma, was apprehended. Another person, namely, Subodh Sah, also appears to have been arrested.

Learned Counsel appearing on behalf of the petitioners appears to be correct in his submission that the allegation is general and omnibus. Since, the said co-accused, Chhatu Sharma and Subodh Sah have been granted regular bail by this Court, I do not see any reason why prayer for anticipatory bail should not be allowed.

Considering the above, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released 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, Bettiah, West Champaran, in connection with Bettiah (Muffasil) Banuchhapar Police Station Case No. 109 of 2018, subject to the condition 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 the 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.)

ragini/-

U	√	T	√
---	---	---	---

