

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22521 of 2019

Arising Out of PS. Case No.-246 Year-2018 Thana- THAWE District- Gopalganj

1. Motar Bhagat @ Parmanand Prasad, Son of Late Indrashan Prasad
 2. Sushil Bhagat @ Sushil Kumar Son of Motor Bhagat @ Parmanand Prasad
 3. Satendra Pandit Son of Ramaji Pandit,
 4. Sharwan Kumar Son of Parmeshwar Singh
 5. Sanchet Bhagat @ Sanchet Kumar Son of Banwari Bhagat,
 6. Sharwan Kumar Son of Banwari Bhagat
 7. Amarjeet Kumar @ Amarjeet Son of Baijnath Bhagat
 8. Subhash Sharma Son of Late Narain Sharma
 9. Shiv Shankar Pandit Son of Sabhaser Pandit
 10. Sudish Kumar @ Sudish Kushwaha, Son of Chandrama Bhagat
 11. Rajendra Prasad Gupta, Son of Hari Nath Prasad @ Harinath Gupta
- All are residents of Village-Dhathiwana, P.S-Thawe, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Thawe P.S. Case No.246 of 2018,
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 337, 338, 379, 436, 427, 506, 295, 295(A) and
307 of the Indian Penal Code.



Allegation has been made that while the informant was constructing Masjid on his own land, the members of Hindu community came there and assaulted the informant and others. The mob set ablaze the hut and also damage the construction of Masjid and took away Rs. 1,00,000/- from the premises of Masjid, however, learned counsel for the petitioners submits that land on which the informant wanted to construct Masjid is a disputed one for which Title Suit No. 800 of 2018 is pending between the parties and the court below directed for maintaining status quo with regard to the disputed land, but the informant wanted to make construction which was protested by the villagers. It is urged that similarly situated co-accused persons have already been granted anticipatory bail by different co-ordinate Benches of this Court in Cr. Misc. No. 17762 of 2019 and Cr. Misc. No. 17859 of 2019.

Looking to the entire facts and circumstances of the case, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj,



District Gopalganj, in connection with Thawe P.S. Case no.246
of 2018, subject to the condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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