

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78926 of 2018

Arising Out of PS. Case No.-534 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

-
1. Ghulam Sarwar @ Sarwar,
 2. Ahmad Sarwar @ Golden, Both Sons of Md. Mustafa (wrongly described in F.I.R. as sons of Mumtaz). Both resident of village-Sikmi wrongly mentioned in the F.I.R. Bhojpurwa, P.S-Manjhagarh, Distt.-Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan
For the Opposite Party/s : Mr. Umeshnand Pandit

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 01-05-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gopalganj Town P.S. Case no. 534 of 2018, registered under Sections 147, 148, 149, 150, 152, 353, 504, 323, 307, 427 and 120(B) of the Indian Penal Code.

The accusation is that in course of removing the encroachment, 22 persons named in the F.I.R., including the petitioners and 60 to 70 unknown started to abuse and created nuisance in removing the encroachments.

Learned counsel for the petitioners submits that while petitioners are named in the F.I.R., but no specific overt



act has been attributed against the petitioners. Further submission is that Santosh Kumar Prasad @ Santosh Kumar, who is also named in the F.I.R. has already been granted pre-arrest bail by a co-ordinate Bench of this Court on 12.03.2019 vide Criminal Miscellaneous No. 75016 of 2018. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 534 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

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

