

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26391 of 2019**

Arising Out of PS. Case No.-64 Year-2019 Thana- BARBIGHA District- Sheikhpura

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1. KUNDAN KUMAR, Son of Vijay Singh
  2. Chandan Kumar, Son of Vijay Singh
  3. Kanhaiya Kumar, Son of Brijnandan Singh
  4. Sanjay Kumar, Son of Late Kapildeo Singh
- All are residents of Village - Tetarpur, P.S.- Jairampur More, District - Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No2  
For the Opposite Party/s : Mr. Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      23-04-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barbigha Police Station Case No. 64 of 2019 for the offences punishable under Sections 341/323/353/34 of the Indian Penal Code.

The Nagar Parishad Amin of Barbigha Nagar Parishad is the informant. It is alleged that when he was performing his official duty for removal of encroachment, near High School, Barbigha, the petitioner, along with others, had not only obstructed the work of removal of encroachment, but had



also assaulted the informant.

Learned Counsel appearing on behalf of the petitioners has submitted that they have been wrongly implicated and in any event, in future, they will not cause any obstruction in removal of encroachment from the public land.

In view of the above submission, this application is allowed.

It is reported that the petitioners have again indulged in such activities, the prosecution shall be at liberty to apply for cancellation of bail granted in the present case.

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 the learned Chief Judicial Magistrate, Sheikhpura, Police Station Case No. 64 of 2019, 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 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.)**

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