

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28618 of 2019

Arising Out of PS. Case No.-628 Year-2016 Thana- KHAGARIA District- Khagaria

Hardeo Sada @ Hardev Sada Son of Ghuran Sada Resident of Village-
Rahimaghat, P.S.- Khagaria (Gangaur), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Khagaria (Gangaur) P.S. Case No. 628 of 2016 registered for the
offence punishable under Sections 420, 379, 427, 341, 504, 506
and 385 of the Indian Penal Code.

Petitioner along with fourteen FIR named accused
persons are said to have descended at the maize field of the
informant armed with various weapons and damaged the maize
crop and forcibly constructed hut on his land claiming
themselves to be member of the naxal group and also resorted
firing in the air.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.



He has been falsely implicated in this case due to dirty village politics. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. No one sustained any sort of injury. The offence is said to be of 24.09.2016, but the FIR has been lodged on 03.11.2016 after inordinate and abnormal delay of about one month nine days without assigning any plausible explanation for the aforesaid delay. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his 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 learned J.M. 1st Class, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 628 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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