

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30549 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- NAUTAN District- West Champaran

1. BAGAD KUMAR @ BAGAD SAHANI, Son of Umalal Sahani Resident of Village - Jhakhiya, P.S.- Banjariya, Distt - East Champaran.
2. Guddu Kumar @ Guddu Sahani Son of Dudhnath Sahani Resident of Village - Puranadih Jagdishpur, P.S.- Jagdishpur, Distt - West Champaran.
3. Dudhnath Sahani Son of Jhingan Sahani Resident of Village - Puranadih Jagdishpur, P.S.- Jagdishpur, Distt - West Champaran.
4. Babulal Sahani Son of Late Ganga Sahani Resident of Village - Puranadih Jagdishpur, P.S.- Jagdishpur, Distt - West Champaran.
5. Narayan Sahani Son of Babulal Sahani Resident of Village - Puranadih Jagdishpur, P.S.- Jagdishpur, Distt - West Champaran.
6. Sanjay Sahani Son of Bhagelu Sahani Resident of Village - Puranadih Jagdishpur, P.S.- Jagdishpur, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Nautan (Jagdishpur) Police Station Case No. 03 of 2019, disclosing offences punishable under Sections 323, 379, 504 and 506/34 of the Indian Penal Code.

It is alleged in the First Information Report that the accused persons were stealthily taking out fishes from the part



of a river over which the informant had fishing rights.

Learned counsel, appearing on behalf of the petitioners, has submitted that there is dispute between the parties as to who has the right over the said river, in question.

Considering the nature of dispute, 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) each, with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan (Jagdishpur) Police Station Case No. 03 of 2019, 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.)

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