

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34877 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BHARGAMA District- Araria

1. ASHOK SRIVASTAV @ ASHOK KUMAR SRIVASTAV S/o Jaleshwar Srivastav R/o village- Jharuwapatti, P.S.- Bhargama, District- Araria
2. Suresh Srivastav @ Suresh Kumar Srivastav S/o Gajadhar Srivastav R/o village- Jharuwapatti, P.S.- Bhargama, District- Araria
3. Ashok Mandal @ Shok Kumar Mandal S/o Late Musharu Mandal R/o village- Jharuwapatti, P.S.- Bhargama, District- Araria
4. Ram Avtar Mandal @ Ramotar Mandal S/o Panch Lal Mandal R/o village- Jharuwapatti, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Bhargama P.S.Case No.38 of 2019, G.R.No.569 of 2019 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354B, 427, 379, 384, 323, 467, 468, 504 & 506 of the Indian Penal Code.

Prosecution story is that the petitioners and 100-150 other accused persons came variously armed on a tractor and on the order of the petitioner no.1, petitioner nos.3 and 4 started uprooting the *Tatti* and the petitioner no.1 has



demanded Rs.25,000/- and directed the other accused persons to assault. Petitioner no.2 assaulted by I on the informant causing injury to him and the petitioner nos. 3 and 4 have taken thumb impression of the informant. They have damaged the house and the plantation.

Submission of the learned counsel for the petitioners is that there is land dispute between the parties from before and due to that they have been falsely implicated in this case and earlier a case had been lodged by the co-accused Devki Devi against the informant and others, which will appear from Annexure-3 and the injury report disclosed that the injuries are simple in nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri K.Ranjan, J.M. 1st Class, Araria in connection with Bhargama P.S.Case No.38 of 2019, G.R.No.569 of 2019, subject to



conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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