

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36348 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- BELHAR District- Banka

1. TANUKDHARI PANDIT Son of Dhibu Pandit Resident of Village - Nimiya, P.O. - Nimiya, P.S. - Belhar, District - Banka.
2. Mahipal Pandit @ Mahiplal Pandit Son of Mukhlal Pandit Resident of Village - Nimiya, P.O. - Nimiya, P.S. - Belhar, District - Banka.
3. Saryug Pandit @ Saryu Prasad Pandit Son of Late Chandu Pandit Resident of Village - Nimiya, P.O. - Nimiya, P.S. - Belhar, District - Banka.
4. Rishikesh Prasad @ Hrishikesh Son of Mahilal Pandit Resident of Village - Nimiya, P.O. - Nimiya, P.S. - Belhar, District - Banka.
5. Pawan Kumar Pandit @ Pawan Kumar Son of Late Masudi Pandit Resident of Village - Nimiya, P.O. - Nimiya, P.S. - Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pancha Nand Pandit
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 25-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Belhar P.S. Case No. 78 of 2018 registered under Sections 427/353/504/506/34 of the Indian Penal Code, section 3(2)(E) of the Prevention of Damages to Public Property Act and section 33 of the Forest Act.

Learned counsel appearing on behalf of the petitioners submits that petitioners have no criminal antecedent.



They are innocent and have falsely been implicated in the present case. Further submission is that on perusal of Annexure-2 to the application, it appears that there is no damage of any public property. The earth which was filled up, the portion of the pond has been lifted and encroachment has been removed. The proceeding under section 144 of the Cr. P.C. was dropped on the basis of the said report.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of 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) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-III, Banka in connection with Belhar P.S. Case No. 78 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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