

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40070 of 2019

Arising Out of PS. Case No.-70 Year-2017 Thana- RUPAULI District- Purnia

1. PAMPAL RAM, aged about 36 years, Male, Son of Late Ram Jatan Ram, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
2. Basudeo Sharma @ Baso Sharma, aged about 58 years, Male, Son of Late Arjun Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
3. Etwari Sharma, aged about 25 years, Male, Son of Late Arjun Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
4. Thakur Sharma, aged about 48 years, Male, Son of Late Jageshwar Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
5. Fulo Sharma, aged about 65 years, male, Son of Late Nan Deo Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
6. Santoshi Sharma, aged about 70 years, Male, Son of Late Jageshwar Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
7. Vijo Sharma @ Bijali Son, aged about 34 years, Male, of Sri Santoshi Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
8. Rudal Sharma, aged about 32 years, Male, Son of Sri Santoshi Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
9. Manoj Sharma, aged about 42 years, male, Son of Brahamdeo Sharma @ Brahaki Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
10. Raju Sharma @ Raju Sharma, aged about 60 years, Male, Son of Late Ayodhi Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
11. Arun Sharma, aged about 40 years, Male, Son of Late Jageshwar Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
12. Feko Sharma, aged about 50 years, Male, Son of Late Jageshwar Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea
13. Pappu Sharma @ Pappu Kumar, aged about 30 years, Male, Son of Sri Basudeo Sharma @ Baso Sharma, Resident of Village - Topara, P.S.- Rupauli (Mohanpur), Dist.- Purnea

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Amit Kumar Anand, Adv.
For the Opposite Party : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA



ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Rupauli (Mohanpur) P.S. Case No. 70 of 2017 for the offences alleged under Sections 147, 148, 149, 188, 327, 384 and 506 of the Indian Penal Code.

The accusation is that 15 persons named in the first information report, including the petitioners, who are members of the extremists cut the wheat crop of the field of the informant inspite of institution of case under Sections 107 and 144 of the Criminal Procedure Code by the informant.

The learned counsel appearing for the petitioners submits that in fact the land in dispute was purchased by the petitioners and being cultivated by them from the last 14 years. Petitioners have no criminal antecedent, except a proceeding under Sections 107 and 144 of the Criminal Procedure Code and the proceedings have already been disposed of.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in



connection with Rupauli (Mohanpur) P.S. Case No. 70 of 2017 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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