

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47604 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- MAINATAND District- West Champaran

1. JAWAHIR SAH Son of Sukhdeo Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
2. Rajesh Sah Son of Jawahir Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
3. Mohan Sah Son of Jawahir Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
4. Umesh Sah Son of Rajesh Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
5. Ram Ayodhya Patel Son of Laxman Patel Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
6. Ravi Patel Son of Ramayodhya Patel Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
7. Raju Das @ Raju Kumar Son of Krishna Das Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
8. Kishore Patel Son of Ragunath Patel Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
9. Hajari Sah Son of Late Sukhdeo Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
10. Baliram Ram @ Baliram Sah Son of Gamha Ram Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
11. Surendra Sah Son of Hajiri Sah Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
12. Gamha Ram Son of Late Geedar Ram Resident of Village-Singhpur, P.S-Mainatand, District-West Champaran.
13. Ramadhar Mahto Son of Late Chaudhar Mahto Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
14. Mukesh Giri Son of Malya Giri Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
15. Malya Giri @ Maleya Giri Son of Harihar Giri Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
16. Hamid Mian Son of Rahim Mian Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
17. Amirka Yadav Son of Nathuni Yadav Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
18. Mukti Paswan Son of Keera Paswan Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
19. Mostt. Shanti Kuwar Wife of Jokhan Mahto Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
20. Chinta Devi Wife of Mohan Mahto Resident of Village-Paschim



Pakuwhawa, P.S-Mainatand, District-West Champaran.

21. Kailash Ram Son of Bhola Ram Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
22. Ramchandrar Mahto Son of Chudhar Mahto Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
23. Mohan Chaudhari @ Mohan Mahto Son of Mahendra Chaudhari Resident of Village-Paschim Pakuwhawa, P.S-Mainatand, District-West Champaran.
24. Ramakant Mahto @ Ramakant Prasad Son of Jokhu Mahto Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
25. Achhelal Parit Son of Late Harihar Parit Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
26. Paras Sah Son of Late Tag Sah Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
27. Kamal Parit Son of Late Bahadur Parit Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
28. Kishori Parit Son of Late Bhutal Parit Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
29. Ramlal Patel Son of Late Deonarain Patel Resident of Village-Belwa Tola, P.S-Mainatand, District-West Champaran.
30. Sk. Julfakar Son of Late Sk. Usman Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran.
31. Sk. Shaukat @ Shaukat Ali Son of Mustakim Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran.
32. Shyamlal Patel Son of Ramanand Patel Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran.
33. Sarvesh Mukhiya Son of Saryug Mukhiya Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran.
34. Awadh Mukhiya Son of Dhrup Sagar Mukhiya Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran.
35. Panna Lal Yadav Son of Sukdev Yadav Resident of Village-Chiutaha, P.S.-Mainatand, District-West Champaran. ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioners and learned



Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Mainatand P.S. Case No. 35 of 2019 for the offences alleged under Sections 147, 148, 149, 307, 427, 382 and 379 of the Indian Penal Code and 27 of the Arms Act.

The accusation is of cutting wheat crop by 36 and some unknown persons from the field which was shown by informant, Ramadhar Ram, and nine others.

Learned counsel appearing for the petitioners submits that in fact the land in question belongs to the petitioners regarding which, in the light of the order passed in C.W.J.C. No. 426 of 2015, the Circle Officer, Mainatand, managed the armed forces for taking the possession by the petitioners, which would appear from Annexure 5 and mere to put pressure the informant has lodged the present case, while the petitioners are accused as detailed in paragraph 3 of the application, but, maximum cases arose lodged by the informant's side in respect to the dispute regarding the land in question.

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 Mainatand P.S. Case No. 35 of 2019 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 Subdivisional Judicial Magistrate, West Champaran at Bettiah, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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