

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45357 of 2019

Arising Out of PS. Case No.-239 Year-2019 Thana- BAGHA District- West Champaran

1. MITHAILAL YADAV @ MITHAI LALA YADAV Son of Satyanarayan Yadav Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.
2. Saral Bari Son of Harendra Bari Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.
3. Brind Choudhary @ Bindha Choudhary Son of Mothichand Choudhary Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.
4. Dhrup Bari @ Munna Kumar @ Munna Kajar Son of Sunil Prasad Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.
5. Dharmendra Mukhiya Son of Arjun Mukhiya Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.
6. Sri Ram Choudhary @ Sri Ram Patel Son of Bhar Choudhary Resident of Village - Ward No. 2, Padar Khap, P.S.- Bhairoganj, Dsitt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bagaha (Bhairoganj) P.S. Case No. 239 of 2019, disclosing offences under Sections 147, 148, 149, 342, 323, 332, 333, 353, 307 and 398 of the Indian Penal Code.

There is allegation in the FIR that the persons named



in the FIR, including these petitioners, were protesting against non-institution of an FIR by the police and, in that course, they had indulged in assaulting the police party.

Learned counsel for the petitioners has submitted that a disciplinary proceeding has been initiated against the Officer-in-charge of the police station, who was the informant, for failure on his part to register a police case. He has also submitted that there is no specific allegation against these petitioners.

Considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Bagaha, West Champaran in connection with Bagaha (Bhairoganj) P.S. Case No. 239 of 2019, subject to the condition as 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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