

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57060 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- MANSI District- Khagaria

1. Sonelal Chaudhary, Son of Late Sahdev Choudhary Resident of Village-Dhanchhor, P.O.- Pango, P.S.- Manasi, District- Khagaria.
2. Badal Chaudhary @ Badal Kr. Chaudhary, Son of Parmanand Chaudhary Resident of Village- Dhanchhor, P.O.-Pango, P.S.- Manasi, District-Khagaria.
3. Parmanand Chaudhary, Son of Ram Sakal Chaudhary Resident of Village-Dhanchhor, P.O.-Pango, P.S.-Manasi, District-Khagaria.
4. Chamru Chaudhary, Son of Late Ashik Chaudhary Resident of Village-Dhanchhor, P.O.-Pango, P.S.-Manasi, District-Khagaria.
5. Abhinandan Chaudhary @ Abhinandan Kr. Chaudhary, Son of Jay Jay Ram Chaudhary Resident of Village-Dhanchhor, P.O.-Pango, P.S.-Manasi, District-Khagaria.
6. Umesh Chaudhary, Son of Bashudeo Chaudhary Resident of Village-Dhanchhor, P.O.-Pango, P.S.-Manasi, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Mansi P.S. Case No.60 of 2019 for the offence punishable under
Sections 147, 148, 149, 323, 379, 427, 384, 342, 354-A, 354B
of the Indian Penal Code.

The allegation against the petitioners as per the First



Information Report is that the complainant-cum-informant had purchased 5 bigha 5 katha of land through sale deed having Khata No.121, Plot No.59 and was cultivating the same. It has further been alleged that on 03.02.2019, petitioners along with others came with weapons, tractor etc. and entered into the field of the informant and damaged the plants standing over there causing loss of about 30,000/- to the informant. It has further been alleged that they abused the informant, his wife and also outraged the modesty of the wife of the informant.

Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated with *mala fide* intention inasmuch as the occurrence had allegedly been taken place on 03.02.2019 but the complaint was filed after delay of about one month, i.e., on 08.03.2019, as would be evident from the date mentioned in the complaint. Learned counsel further submits that in fact the informant has unauthorizedly grabbed the land of Thakurbari which was objected by the petitioners and other co-villagers as well as by the Mahant of the Thakurbari for which case bearing Mansi P.S. No.60 of 2019 has been lodged by Mahant against the informant. Learned counsel further submits that a complaint bearing No.122C of 2019 has also been filed by the petitioner No.1 against the



informant of this case alleging that the informant has garbed the land of Thakurbari in which villagers want to construct temple.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is delay of lodging the First Information Report and there is previous dispute between the parties, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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