

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59475 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

1. Akhileshwar Bharti @ Akhilesh Bharti, aged about 21 years, Gender-M, Son of Prabhu Nath Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.
2. Baliram Bharti, aged about- 19 years, Gender-Male, Son of Prabhu Nath Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.
3. Ajay Bharti, aged about 24 years, Gender- Male, Son of Dhruv Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.
4. Mukesh Bharti, aged about 26 years, Gender- Male, Son of Bharat Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.
5. Bijay Bharti @ Vijay Bharti aged about 40 years, Gender- Male, Son of Bhagelu Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.
6. Manjeet Bharti @ Manjit Bharti aged about 19 years, Gender- Male, Son of Ashok Bharti, Resident of Village - Balaha, P.S.- Baikunthpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 24-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 109 of 2019 registered under sections 447, 448, 341, 323, 379, 354, 427/34 of the IPC.

The allegation against the petitioners, as per the first information report, is that the petitioners arrived at the house of



the informant and petitioner no. 1 assaulted the informant by means of *farsa* on his hand and other petitioners abused and assaulted the informant and took away Rs. 3,845/- from the house of the informant.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case due to political rivalry inasmuch as the informant is having a criminal background and is supporter of one of the political parties and the present FIR has been lodged during the election period. Learned counsel further submits that a counter case has also been lodged by the petitioner no. 1 having Baikunthpur P.S. Case No. 110 of 2019 against the informant. Learned counsel further submits that no injury has been brought on record by the prosecution upon the informant up till now.

Having regard to the submissions made by the parties and taking into consideration the fact that the scuffle between the parties have taken place due to political rivalry and during election period, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 Sri Ramesh Mani Tiwari, J.M. Ist Class, Gopalganj, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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