

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62433 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- SISWAN District- Siwan

1. NAGESHWAR BHAR Son of Late Chanar Bhar Resident of Village- Kauli Chhapra P.S.- Siswan, District- Siwan.
2. Sunil Bhar Son of Nageshwar Bhar Resident of Village- Kauli Chhapra P.S.- Siswan, District- Siwan.
3. Anil Bhar Son of Nageshwar Bhar Resident of Village- Kauli Chhapra P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Siswan P.S. Case No.95 of 2019 registered under Sections 147, 148, 149, 341, 323, 307, 353, 504 and 506 of the Indian Penal Code.

The accusation is that on the basis of the petition of Shivji Sah of village-Kauli Chhapra, inquiry was made and the report was submitted by the police officer of Siswan Police Station and recommendation was made for initiation of the proceeding under Section 107 of the Code of Criminal



Procedure. In that course, when the informant along with other police personnel reached at the disputed place, then found a hut constructed by Rambali and others, after filling of soil there. When the informant asked them to remove the encroachment, then 15 persons, named in the F.I.R., including the petitioners and 25-30 unknown including ladies armed with weapons attacked at the police party and the informant in which one Homeguard Ashok Singh sustained injury on his head and he fell down on the ground. In the occurrence other police personnel were also assaulted and sustained injuries.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. Further submission is that while the petitioner is accused in one more case, as detailed in paragraph-3 to this application, but the same was lodged by Shivji Sah regarding the same occurrence.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate-IV, Siwan, in connection with Siswan P.S. Case
No.95 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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