

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9161 of 2020

Arising Out of PS. Case No.-159 Year-2019 Thana- LAURIA District- West Champaran

1. MANEJAR MIAN @ MAINEJAR MIAN Son of Ali Mian Resident of Village - Baswariya, P.S.- Lauriya, Dist.- West Champaran.
2. Jamdar Mian @ Jamadar Mian Son of Hakim Mian Resident of Village - Baswariya, P.S.- Lauriya, Dist.- West Champaran.
3. Faiyaj Mian @ Md. Faiyaj Son of Manejar Mian @ Mainejar Mian Resident of Village - Baswariya, P.S.- Lauriya, Dist.- West Champaran.
4. Imteyaj Hawari @ Imteyaj Mian @ Imtiyaj Mian Son of Manejar Baitha Resident of Village - Baswariya, P.S.- Lauriya, Dist.- West Champaran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 147, 149, 341, 323, 188, 288, 353, 504 & 427 of the Indian Penal Code.

While the informant along with the police party and other officials gone to the place of occurrence to get the encroachment removed from the public land, in compliance of the order of this Court, one Sadhu Sharma raised alarm and collected about 40-45 persons at the place of occurrence and all



started opposing the removal of encroachment. The unruly mob started misbehaving with the government officials and in the process one Imtiyaz Mian threw a brick over the police team. Thereafter, all the accused persons started pelting stones and bricks over the police team. Some persons got injured and the glass of JCB vehicle also got broken.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in the case. None has sustained injury in the occurrence. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. They have no criminal antecedent. It is admitted fact that mob broke the glass of J.C.B. and obstructed the government work and petitioners were members of the mob.

The petitioners are agreed to deposit Rs.2,500.00 (Rupees Two Thousand Five Hundred) each in the Nazarat of the Civil Court.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Lauriya P.S. Case No. 159 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.2,500.00 (Rupees Two Thousand Five Hundred) each in the Nazarat of the Civil Court.

(Anjani Kumar Sharan, J)

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