

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62052 of 2019

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

1. SUREASH BHAR Son of Bhiru Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
2. Uttam Bhar Son of Bhiru Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
3. Umesh Bhar Son of Lalan Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
4. Pintu Bhar Son of Nageshwar Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
5. Bipin Bhar Son of Lalan Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
6. Ranjan Bhar Son of Sugriv Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
7. Bhim Bhar Son of Lalan Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
8. Vikas Bhar Son of Suresh Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
9. Manoj Bhar Son of Mundrika Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
10. Girdhari Bhar Son of Dharmdev Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.
11. Shivshankar Bhar @ Shiv Shankar Rai Son of Darap Bhar Resident of Village- Kauli Chhapra, P.S.- Shiswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Siswan P.S. Case No. 95 of 2019, registered for the offence



punishable under sections 147, 148, 149, 341, 323, 307, 353, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, on a petition of one Shivji Sah, an enquiry was made by the police in which it transpired that one Rambali Bhar had forcibly filled up a ditch and had constructed a hut thereon. On an attempt made by the police to remove the temporary encroachment on the land, it is stated that the 15 named accused persons including the 11 petitioners herein and 25-30 unknown, variously armed, attacked the police party in which one of the police personnel, namely, Ashok Kumar sustained injury.

It is submitted by learned counsel for the petitioners that eleven petitioners herein have no criminal antecedent. The allegations are general and omnibus in nature and there is land dispute between the parties. It is further submitted that three of the named co-accused have been enlarged on bail vide order dated 17.10.2019 passed in Cr. Misc. No. 62433 of 2019.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or



surrender in connection with Siswan P.S. Case no. 95 of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IV, Siwan subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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