

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3163 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- GOGRI District- Khagaria

1. RAMCHANDRA MANDAL Son of Late Dhanuki Mandal Resident of Village - Mirganj, P.S.- Gogari, Distt.- Khagaria.
2. Amar Kumar Son of Bino Mandal Resident of Village - Chandpur, P.S.- Gogari, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-03-2020 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Gogari Police Station Case No. 47 of 2019, disclosing offences under Sections 341/323/379/307/427/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners, as per the First Information Report, is that the petitioners, along with other accused persons, arrived at the field of the informant and his brother, armed with lethal weapons, and started firing. It has further been alleged that they uprooted the crops standing in the field and the garden and when the informant protested, the



petitioners started firing.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to village politics inasmuch as from perusal of the First Information Report, it would be evident that the informant is a member of the political party, Janata Dal (United) and is the District President of the same. He further submits that two cases have been lodged against the petitioners on the same day by the informant and his family member, being Gogari Police Station Case No. 48 of 2019 by using his influence as a member of the political party. He further submits that no injury has been caused to anyone as a result of the firing made by the petitioners.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the parties and no injury has been caused to the informant and others due to the alleged firing made by the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria, in connection with Gogari Police Station Case No. 47 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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