

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86551 of 2019

Arising Out of PS. Case No.-317 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

1. SANJAY RAI, Son of Late Rup Narayan Rai, Resident of Village - Sikraul, P.S.- Rajpur, District - Buxar.
2. Gauri Shankar Shrivastava @ Gauri Shankar Keshri, Son of Late Banarshi Lal, Resident of Village - Banarpur, P.S.- Buxar (M), District - Buxar.
3. Ashok Tiwary @ Ashok Kumar Tiwary, Son of Late Raj Bachhan Tiwary, Resident of Village - Banarpur, P.S.- Buxar (M), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nil Kamal

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 353, 504, 506 of the Indian Penal Code.

Present case was instituted on the basis of Written Petition filed by the Circle Officer, Chausa alleging inter alia that on 17.10.2019 at about 02 P.M. the informant along with police force deputed for maintaining law and order on the place of Thermal Power, Banarpur. In the meantime, the petitioners alongwith 150 to 200 people restricted the construction work



being done by the Power Plant. When the informant tried to convince them then petitioners created hurdle and obstructed the informant to discharge his official duty.

Learned counsel for the petitioner submits that the petitioners are innocent and have been falsely implicated in this case due to pressurizing the petitioners. The petitioners are land owners and they acquired land of Power Grid. Further submits that the State Government has been acquired the land of petitioners and others and made a payment of land of question on rate of Rs. 6667/- per decimal as per rate of 2011 Rule, in spite of rate of Rs. 9000/- per decimal as per the Rule 2013 and the said amount Rs. 6667/- has been given to landlord in the year 2016 and the same is against the R & R policy of the New Land Acquisition Act, 2013 and its Section 80. The false case has been lodged only save their own neck from agreement and harass the villagers from their rightful demand since 2012 to till today and several such type of cases filed against the petitioners and others for same cause of peaceful agitation. The petitioners have got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks



from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds 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, Buxar, in connection with Buxar (Muffasil) P.S. Case No. 317 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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