

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86528 of 2019

Arising Out of PS. Case No.-608 Year-2019 Thana- KHAGARIA District- Khagaria

1. Mahendra Sada, aged about 60 years, male, S/o Narsingh Sada (**Wrongly mentioned in the FIR as Prakash Sada**), Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
2. Anil Sada, aged about 40 years, male, S/o Mahendra Sada (**Wrongly mentioned in the FIR as Prakash Sada**), Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
3. Asharfi Sada, aged about 55 years, male, S/o Ram Bahadur Sada (**Wrongly mentioned in the FIR as Prakash Sada**), Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
4. Pyare Sada, aged about 70 years, male, S/o Rambahadur Sada (**Wrongly mentioned in the FIR as Prakash Sada**), Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
5. Madan Sada, aged about 40 years, male, S/o Bodhan Sada (**Wrongly mentioned in the FIR as Prakash Sada**), Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
6. Ajablal Sada, aged about 40 years, male, S/o Rajendra Sada, Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
7. Karpuri Sada, aged about 65 years, male, S/o Ram Bahadur Sada (**Wrongly mentioned in the FIR as Rashik Sada**)Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
8. Mani Sada, aged about 47 years, male, S/o of Rashik Sada, Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
9. Rambilas Verma @ Rambilas Singh, aged about 57 years, male, Son of Doman Verma @ Doman Singh Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.
10. Sundar Sharma, aged about 65 years, male, S/o Fulo Sharma Resident of Village- Soraydih, P.S.- Muffasil, Distt- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 14-02-2020

Heard learned counsel appearing for the petitioners as



well as learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Khagaria Muffasil P. S. Case No.608 of 2019 registered under Sections 147, 149, 323, 307, 337, 338, 353 and 120(B) of the I.P.C.

3. At the very outset, learned counsel appearing for the petitioners points out that father's name of some of the petitioners have wrongly been mentioned in the first information report and that is why the correct parentage of the aforesaid petitioners have been given in this petition.

4. It is further submitted by learned counsel for the petitioners that for the same occurrence, two cases were lodged i.e. Khagaria Muffasil P. S. Case No.608 of 2019 and Khagaria Muffasil P. S. Case No.597 of 2019. He points out that the Khagaria Muffasil P. S. Case No.608 of 2019 has been lodged by the Circle Officer, Khagaria Sadar whereas Khagaria Muffasil P. S. Case No.597 of 2019 has been lodged by the landlord of disputed plot. He further submits that the petitioners have already been granted privilege of anticipatory bail by the Court below in Khagaria Muffasil P. S. Case No.597 of 2019 and in the present case, i.e. Khagaria Muffasil P. S. Case No.608 of 2019, no specific overt act has been attributed against the



petitioners and only there is omnibus allegation that the petitioners and others attacked on police party and other officials.

5. Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall 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 the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria Muffasil P. S. Case No.608 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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