

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31551 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- RANIGANJ District- Araria

1. Bhola Bhagat S/o Late Mahabir Bhagat Resident of Village- Pahunsara, Ward No.02, P.S.- Raniganj, District- Araria.
2. Sikandar Bhagat S/o- Bhola Bhagat Resident of Village- Pahunsara, Ward No.2, P.S.- Raniganj, District- Araria.
3. Durga Bhagat @ Durganand Bhagat S/o Bhola Bhagat Resident of Village- Pahunsara, Ward No.2, P.S.- Raniganj, District- Araria
4. Pankaj Bhagat @ Pankaj Kr. Chaurasiya S/o Mohan Bhagat Resident of Village- Pahunsara, Ward No.2, P.S.- Raniganj, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party : Mr.Umashanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioners as well as
learned Addl.P.P. for the State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 379/34 and other
allied sections of the Indian Penal Code.

As per the prosecution case, all the FIR named
accused persons including the petitioners, tried to remove the
cattle, hay and straw from the disputed land and when the same
was protested by the informant, all the accused persons
assaulted him and his wife by bamboo stick.



Learned counsel appearing for the petitioners submits that there is general and omnibus allegation and no specific overt act has been attributed against the petitioners. There is no allegation of outraging modesty against the petitioners and nobody received injuries. Petitioners have falsely been implicated in this case due to land dispute. Petitioners have got no criminal antecedent.

Considering the facts of the case, in the event of arrest/surrender within eight weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate VI, Araria in Raniganj Police Station Case No. 38 of 2020(GR No.246 of 2020), subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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