

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6167 of 2021**

Arising Out of PS. Case No.-86 Year-2019 Thana- BARABAR TOURIST District- Jehanabad

1. Lallu Raut @ Laloo Raut, Son of Late Chalitar Raut, Resident of Village-Tilkai P.S-. Barabar (Paryatan), Distt-. Jehanabad
2. Arjun Raut, Son of Mohan Raut, Resident of Village-Tilkai P.S-. Barabar (Paryatan), Distt-. Jehanabad
3. Neeraj Kumar, Son of Arjun Raut, Resident of Village-Tilkai P.S-. Barabar (Paryatan), Distt-. Jehanabad
4. Sheo Bahadoor Raut, Son of Late Buddhu Raut, Resident of Village-Tilkai P.S-. Barabar (Paryatan), Distt-. Jehanabad
5. Srikant Raut @ Srikant Prasad, Son of Raj Kumar Prasa Resident of Village-Tilkai P.S-. Barabar (Paryatan), Distt-. Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amaresh Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Sanjay Kumar Singh, learned A.P.P. for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Barabar (Paryatan) Vishnuganj O.P. P.S. Case No. 86 of 2019 (G.R. No. 2250 of 2019) registered for the offences punishable under Sections 341, 323, 379, 307, 504,



506/34 of the Indian Penal Code. Petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that in this case the parties are co-villagers and they have an admitted land dispute. The present occurrence is said to have taken place on account of the said land dispute. One of the petitioners namely Lallu Raut (petitioner no. 1) had filed Barabar (Paryatan) (Vishnuganj O.P.) P.S. Case No. 85 of 2019 on 04.11.2019, the present case lodged by the informant's side who are accused in Barabar (Paryatan)(Vishnuganj O.P.) P.S. Case No. 85 of 2019 is only to falsely implicate the petitioners.

It is further submitted that in course of investigation the petitioners have fully cooperated pursuant to the notice issued to them by the Police and after investigation Police has submitted a final form but differing the Police report learned Magistrate took cognizance against the petitioners under non-bailable Sections hence, the present application has been filed.

Mr. Sanjay Kumar Singh, learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioners but considering the circumstances and the materials as discussed hereinabove, this Court directs the petitioners above-named in the event of their arrest or surrender within four



weeks from today be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of Sri Alok Ranjan, learned Judicial Magistrate 1st Class, Jehanabad in connection with Barabar (Paryatan) Vishnuganj O.P. P.S. Case No. 86 of 2019 (G.R. No. 2250 of 2019), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

