

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14106 of 2021

Arising Out of PS. Case No.-289 Year-2019 Thana- JOGAPATTI District- West Champaran

1. Satan Sah, aged about 55 years, male, Son of Badri Sah
 2. Arjun Sah, aged about 42 years, male, Son of Satan Sah
 3. Sheo Shankar Sah, aged about 62 years, male, Son of Badri Sah
 4. Kamlesh Sah, aged about 25 years, male, Son of Jhamali @ Sheo Shankar Sah
 5. Narain Prasad @ Gurudev, aged about 40 years, male, Son of Late Shankar Prasad
 6. Jagdish Mahto, aged about 40 years, male, Son of Mahadeo Mahto
 7. Om Prakash Prasad, aged about 35 years, male, Son of Binod Sah
- All are resident of Village- Basopatti, Bakuchia Tola, P.S.- Sanichari,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-01-2022 Mr. Nishant Kumar Sinha, the learned

Advocate for the petitioners seeks permission to



withdraw the application with respect to petitioner No. 7, namely, Om Prakash Prasad, who has been arrested during the pendency of this bail application.

Permission is granted.

The application with respect to petitioner No. 7 is dismissed as having become infructuous.

The petitioner Nos. 1 to 6 seek bail in anticipation of their arrest in connection with Yogapatti P.S. Case No. 289 of 2019 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 353, 427, 504 and 506 of the Indian Penal Code.

The F.I.R. has been lodged by a police officer alleging that during the patrolling duty on the eve of *Nagpanchmi* festival, a clash between two groups was reported. Hearing the aforesaid news, the police party reached the place of occurrence only to find that the members of two warring groups were stationed eye-ball to eye-ball against each other. Notwithstanding the warning given by the police party, none of the persons belonging to the warring groups budged;



rather, they resorted to brick bats which resulted in damage to police vehicles as well. 14 persons including the petitioners have been named in the F.I.R. along with about 100 other unnamed persons. No specific overt act has been attributed against any one of the petitioners and according to the information to the counsel for the petitioners, there is no injury on any one of the persons of the either side.

Considering the general nature of accusation against petitioner Nos. 1 to 6 and their being persons of clean antecedents, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 289 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



The application stands disposed off
accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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