

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19805 of 2022

Arising Out of PS. Case No.-373 Year-2013 Thana- MANER District- Patna

1. SUMITRA DEVI W/o Rama Ray Resident of Village - Khaspur, P.s.- Maner, Distt.- Patna.
2. Jatahi Ray @ Jatai Ray Son of Chinta Ray Resident of Village - Khaspur, P.s.- Maner, Distt.- Patna.
3. Ashok Ray @ Ashok Kumar Son of Shyama Ray Resident of Village - Khaspur, P.s.- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 353 and 436 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 3 has antecedent of one case and petitioner nos. 1 and 2 are persons with clean antecedent and the informant alleges that on 04.10.2013 at about 2:00 pm, on orders passed by the learned Additional Munsif-II, Danapur, the Court Officers along with police officers and Circle Officers had come



to deliver possession of 24 decimal of land from the person who had forcefully captured the said land, it is next alleged that after delivery of possession of land to the informant, seven named accused persons, including the petitioners, along with their children and fifty others blocked the road but the administration somehow managed to remove the blockage, it is also alleged that on the same day in presence of the above officers, all the accused persons set fire to the informant's *bathan*, possession of which was delivered by the administration, as aforesaid. It is next alleged that the accused persons thus had obstructed in complying with the orders of the court.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and they were completely unaware that any case has been instituted against them, it is also submitted that no doubt the case is of the year 2013, but since the petitioners were unaware of the pendency of the case as such they never moved before an appropriate forum to avail their remedies available in law, it is also submitted that it absolutely does not stand to reason that the petitioners in presence of the officials and the police would have committed such occurrence. Learned counsel submits that till date no process under Section 82 of the Cr.P.C. has been issued



against the petitioners.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Maner P.S. Case No. 373 of 2013 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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