

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22918 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- NAURANGIA District- West Champaran

1. HARI GOND @ HARI PRASAD Son of Late Ramanand Gond @ Ramanand Mahdevo Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
2. Abhimanyu Gand @ Abhimanyu Son of Late Ramlakshan Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
3. Nathu Gond @ Nathu Son of Late Ramlakshan Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
4. Badhu Gond @ badhu Son of Late Ramlakshan Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
5. Jai Prakash Gond @ Jai Prakash Son of Late Ramlakshan Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
6. Mansingh Gond @ Mansingh Son of Late Ramlakshan Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
7. Pramod Gond @ Pramod Kumar Kashyap Son of Hari Gond @ Hari Prasad Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
8. Pradeep Kumar @ Pradeep Son of Hari Gond @ Hari Prasad Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
9. Raju Gond @ Raju Son of nathu Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
10. Bikash Gond @ Vikesh Son of Bhadhu Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
11. Naukhwali Devi @ Nagauli Devi @ Nadawale Devi W/o Badhu Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
12. Nirmala Devi @ Nirmala W/o Abhimanu Gond Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
13. Rampraweshar Mushar @ Ramesh Son of Sri Mushahar Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.
14. Madhuri Devi @ Madhuri W/o Pramod Kumar Kashyap Resident of Village - Mahdeva , P.s.- Khada, Distt.- Kushinagar, State - Uttar Pradesh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy
For the Opposite Party/s : Mr.Ramchandra Singh



**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 22-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner nos. 1, 4 and 10 have been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner nos. 1, 4 and 10.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner nos. 1, 4 and 10.**

Petitioner nos. 2, 3, 5, 6, 7, 8, 9, 11, 12, 13 and 14 apprehend their arrest for the offences alleged under Sections 323, 324, 341, 353 and 504/34 of the Indian Penal Code, registered in connection with Naurangia P.S.Case No. 11 of 2022.

As per allegation, the forest officials found hunting net erected in the forest area. It is further alleged that the accused persons including the petitioners attacked the forest officials and assaulted them.



Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated. The FIR has been lodged after two days of the occurrence and the alleged injuries are simple in nature. He has submitted further that petitioners are the persons of clean antecedents.

Considering the above facts and circumstances, especially the clean antecedent, let petitioner nos. 2, 3, 5, 6, 7, 8, 9, 11, 12, 13 and 14 above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, 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 learned ACJM, Bagaha, West Champaran in connection with Naurangia P.S.Case No. 11 of 2022, subject to the conditions as laid down under Section 438(2) Cr. P.C.

If on verification it is found that petitioners are accused in any other case, the learned court below will be at liberty to cancel their bail bond. The petitioners shall be physically present in the court below on each and every date till the framing of charges.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove,



failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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