

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50095 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- CHAUTHAM District- Khagaria

1. Shivnandan Gupta Son of Ramji Prasad Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
2. Tuntun Gupta Son of Subhalal Sah Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
3. Pramod Ram Son of Late Manik Ram Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
4. Pannalal Das Son of Battal Das Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
5. Shankar Sah Son of Subodh Sah Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
6. Krishna Kumar Son of Kailash Sah Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
7. Raghunandan Singh Son of Baldi Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
8. Rajiv Kumar Son of Sonelal Sah Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
9. Arvind Singh Son of Matuki Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
10. Rajesh Kumar Son of Bilash Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
11. Laxmi Singh Son of Ramkhelawan Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
12. Ladho Singh @ Larho Singh Son of Sudama Singh Resident of Village -
Nirpur, P.S.- Chautham, District - Khagaria.
13. Rambalak Singh Son of Chalitar Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
14. Saheb Singh Son of Pokhan Singh Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.
15. Sashi Gupta Son of Upendra Gupta Resident of Village - Nirpur, P.S.-
Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiva Ranjan
For the Opposite Party/s : Mr.Mohammad Sufyan



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioners no.1, 2 and 3, namely, Shivnandan Gupta, Tuntun Gupta and Pramod Ram as they have already been apprehended by the police.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioners no.1, 2 and 3 are concerned.

Heard learned counsel for the petitioners and learned APP for the State through virtual court proceedings.

Petitioners apprehend their arrest in Chautham P.S. Case No.28 of 2021, registered for the offences punishable under Sections 147, 148, 149, 323, 427, 298, 295 and 295(A) of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. It is submitted that from perusal of the FIR, it appears that there is land dispute between two groups of the village. It is submitted that according to FIR, 100 persons are said to have demolished the wall and there is general and omnibus allegation



against 100 accused persons including the petitioners. It is also submitted that the persons named and not named in the FIR were trying to demarcate the land of Hanuman Temple and Masjid and during that period hot exchange of words had been taken place between the parties and the informant side want to grab the Gair Majarua Aam government land. It is lastly submitted that the petitioners have got no criminal antecedent as stated in paragraph 3 of the bail application.

The learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Chautham P.S. Case No.28 of 2021, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

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