

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41481 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- ANDHRATHARHI District- Madhubani

1. Rahul Bhandari @ Rahul Kumar S/O Sri Shobhkant Bhandari @ Ramakant Bhandari Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
2. Ranjit Bhandari @ Ranjeet Kumar Bhandari S/O Sri Shobhkant Bhandari @ Ramakant Bhandari Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
3. Sudhir Bhandari @ Sudhir Kamti S/O Sri Parmeshwar Chaudhary Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
4. Dayanand Chaudhary S/O Sri Yogvir @ Gopal Chaudhary Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
5. Ratneshwari Bhandari @ Ratneshwar Prasad S/O Sri Radhakant Bhandari Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
6. Balram Kamat @ Balram Kumar S/O Sri Radha Ram Kamat @ Raja Ram Kamat Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.
7. Anil Bhandari S/O Sri Shivnandan Bhandari Resident of Village- Andhra, P.S.- Andhrathadhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2022 At the outset, counsel for petitioners seeks permission to withdraw the anticipatory bail application with respect to Rahul Bhandari and Ranjit Bhandari petitioner no. 1 and 2 respectively.

Heard learned counsel for the petitioners and learned counsel for the State.



The petitioner nos. 3, 4, 5, 6 and 7 apprehend their arrest in a case registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, informant (Police Official) found that some illegal pucca construction was being made by Radhakant Chaudhary encroaching land on the left bank of Gaur Lahu Nahar in respect of which, Circle Officer and the concerned PS were reported by him. Thereafter, Rajaswa Karamchari and police personnel were sent to the construction site to stop the construction work, but 11 named accused persons including petitioners and 10 unknown variously armed attacked on the police party. Some of the police officials got injured co-accused Ranjit Bhandari and Rahul Bhandari tried to snatch the arms of police official.

It is submitted that as a matter of fact, dispute was with respect to demarcation of land, and therefore, the issue was ultimately raised before the Sub-Divisional Public Grievances Redressal Officer, Jhanjharpur, Madhubani and Circle Officer was directed to initiate demarcation of proceeding and resolve the measurement dispute in accordance with law vide order dated 17.02.2017. It is next submitted that on the alleged date and time of occurrence, informant along with others came upon



the land of petitioner, committed *marpit* with him, his family members and assaulted labourers and mason, for which Rajeshwar Prasad had filed Complaint Case No. 335 of 2021 against them. Admittedly, there is land dispute between the parties over demarcation of land. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioner Nos. 3, 4, 5, 6 and 7 above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Additional Chief Judicial Magistrate I, Jhanjharpur, Madhubani in connection with Andharathadhi P.S. Case No. 119 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

