

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8738 of 2023

Arising Out of PS. Case No.-704 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. JAWAHAR RAI S/O LATE BIGU RAI Resident of village- Kaparsandi,
P.S.- Turkauliya, District- East Champaran.
 2. BHEGALU RAI @ BHAGELU RAI S/O LATE CHETHRU RAI Resident
of village- Kaparsandi, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 147,341,323,353/506 of the Indian Penal Code and sections 3/4 of the Damage of Public Property Act.

As per the prosecution case, when the informant and other police men moved to remove encroachment, all the FIR named accused persons including these petitioners holding weapons in their hands , created nuisance and caused hindrance in performing official duty.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been



implicated in this case. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioners. Nobody sustained injuries.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, 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 Chief Judicial Magistrate, Motihari, East Champaran in Turkauliya Police Station Case No. 704/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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