

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33358 of 2023

Arising Out of PS. Case No.-715 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

1. JIUT BANDHAN KHARWAR Son of Shukar Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
2. Hira Kharwar Son of Madari Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
3. Arun Kharwar Son of Anil Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
4. Ravikant Kharwar Son of Rang Bahadur Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
5. Pintu Kharwar Son of Madari Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
6. Rang Bahadur Kharwar Son of Gulab Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)
7. Anil Kharwar Son of Gulab Kharwar Resident of village - Dasauti, P.O. - Sondhi, P.S. - Mohania, Distt. - Kaimur (Bhabua)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey
For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-07-2023 Vide order dated 30.05.2023, this application with regard to petitioner no. 7 is dismissed as withdrawn.

2. Now, this application is being heard only with regard to petitioners no. 1 to 6 only.

3. Heard learned counsel for the petitioners and learned A.P.P. for the State.

4. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

5. As per the FIR, a Panchayati being held between the petitioners and the side of the informant with regard to disputed land, the petitioners and other accused persons armed with lathi, danda khanti & pistol attacked the informant and his family members and inflicted injuries on their body as a result of which five persons sustained injury.

6. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the incident has occurred due to land dispute and during Panchayati being held between the parties. He further submits that so far as the allegation with respect to injuries sustained by the members of the informant's side have been opined by the doctor to be simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposes prayer for anticipatory bail.

8. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in



the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Mohania P.S. Case No.715 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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