

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32190 of 2023**

Arising Out of PS. Case No.-791 Year-2020 Thana- SUPAUL District- Supaul

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1. HEMANT KUMAR CHAUDHARY @ MINTU CHAUDHARY S/O SURYA NARAYAN CHOUDHARY R/O Village- Sukhpur Solhani, Ward No.-6, P.S- Supaul, Distt.- Supaul.
 2. Sonu Chaudhary @ Neeraj Chaudhary @ Neeraj Kumar S/O Surya Narayan choudhary R/O Village- Sukhpur Solhani, Ward No.-6, P.S- Supaul, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satyendra Kumar Jha, Advocate. Mr. Kumar Shubham, Advocate.
For the Opposite Party/s	:	Mr.Parmanand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-07-2023 Heard Mr. Satyendra Kumar Jha, learned counsel along with Mr. Kumar Shubham, learned counsel appearing on behalf of the petitioners and Mr. Parmanand Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Supaul P.S. Case No. 791 of 2020 registered for the offence punishable under Sections 447, 341, 323, 379, 385 and 504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., 30-40 unknown persons came armed with lethal weapons and forcibly started ploughing the school's land with a tractor and on objection made by the caretaker of the school, the accused persons including the petitioners snatched his wrist watch and



Rs.500-600/- from his pocket.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have committed no offence as alleged in the F.I.R. There is land dispute between the parties. Both the parties have claimed title over the piece of land appertaining to Khata No. 267, Khesra No. 32. Altogether 30-40 persons have been made accused in the present case and the petitioners, at best, can only be said to be member of the mob.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Supaul in connection with Supaul P.S. Case No. 791 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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