

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48509 of 2022

Arising Out of PS. Case No.-68 Year-2017 Thana- DULHIN BAZAR District- Patna

1. TOK NARAYAN MISTRI Son of Bhujali Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
2. Bhim Mistri Son of Shyam Charan Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
3. Dharmendra Mistri Son of Shyam Charan Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
4. Bhushan Mistri Son of Patiram Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
5. Shyam Kishor Mistri Son of Patiram Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
6. Satendra Mistri Son of Patiram Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
7. Dular Mistri Son of Suryadeo Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
8. Rupu Mistri @ Ripu Mistri Ripu Son of Suryadeo Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
9. Rajesh Mistri Son of Suryadeo Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
10. Ravi Kumar Son of Dular Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
11. Shyam Bihari Mistri Son of Nanhak Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
12. Munna Mistri Son of Shyam Bihari Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
13. Shyam Narayan Mistri Son of Nanhak Mistri Resident of Village - Lal Bhadsara, P.S.- Dulhin Bazar, District - Patna
14. Surendra Vaheliya Son of Sanichar Vahelilya R/o Village - Selhauri, P.S.- Dulhin Bazar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER



4 06-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 427/34 of the Indian Penal Code and 27 of the Arms Act.

As per the FIR, the informant alleges that on 04.04.2017, at night all the accused persons poured kerosene oil on the crops and started burning it. When the villagers went to stop the fire, the petitioners started firing.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. The petitioner no.1 is mahanth and has been performing and looking after the said property of the trust and the rest of the petitioners are his family members. Petitioners have criminal antecedent mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case,



as there is an admitted land dispute between the parties, 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 court below where the case is pending/Successor Court in connection with Dulhin Bazar P.S. Case No.68 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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