

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68969 of 2023

Arising Out of PS. Case No.-122 Year-2023 Thana- GHORASAHAN District- East
Champaran

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1. SAHABUDDIN @ SHAHABUDDIN Son of Abdur Rahman R/o vill -
Murshidabad, Mahuahi, P.S. - Ghorasahan, Distt. - East Champaran
 2. Inus Miyan Son of Ishag Miyan R/o vill - Murshidabad, Mahuahi, P.S. -
Ghorasahan, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Ghorasahan Police Station Case No. 122 of 2023,
dated 08.03.2023, disclosing offences under Sections
147/148/149/295/427 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that the petitioners, along with other co-accused
persons, damaged the boundary wall of graveyard and
took away brick, iron, cement, etc. and also threatened the
labours, who were engaged in construction of the
boundary wall of the graveyard.



4. Learned counsel for the petitioners submits that the petitioners have been made accused due to dispute regarding Gair Majarua Aam land on which the boundary wall of graveyard was erected. He further submits that the allegations are general and omnibus in nature and similarly situated seven co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 400038 of 2023.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated seven co-accused persons have been granted bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sikrahana at Dhaka, in connection with Ghorasahan Police Station Case No. 122



of 2023, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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