

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72240 of 2022

Arising Out of PS. Case No.-197 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. AWADHESH PANDEY SON OF LATE GAYATRI PANDEY R/O VILL.-
BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
2. OMKAR NALTH PANDEY SON OF LATE GAYATRI PANDEY R/O
VILL.- BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
3. AMARNATH PANDEY SON OF LATE GAYATRI PANDEY R/O VILL.-
BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
4. ARUN PANDEY SON OF LATE GAYATRI PANDEY R/O VILL.-
BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
5. SHYAM KARTIK PANDEY SON OF SRI OMKAR NATH PANDEY R/O
VILL.- BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
6. RAGHAW RAM PANDEY SON OF AWADHESH PANDEY R/O VILL.-
BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
7. DINKAL PANDEY @ DINKAR PANDEY SON OF SRI RAGHAW RAM
PANDEY R/O VILL.- BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT
BHABHUA
8. SACHIDANAND MISHRA SON OF LATE VISHWANATH MISHRA R/O
VILL.- BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA
9. SUNIL PANDEY SON OF SRI RAGHAW RAM PANDEY R/O VILL.-
BERRA, P.S.- MOHANIYA, DISTT.- KAIMUR AT BHABHUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vivekanand Vivek, Adv. Mr.Rang Nath Pandey, Adv. Mr.Debesh Kumar Poddar, Adv.
For the Opposite Party/s :		Mr.Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 323,
353, 504, 506 of the Indian Penal Code.



As per allegation, the petitioners are said to have tried to encroach the alleged land by constructing a temple over it and when the informant and other persons went at the place to remove the said illegal encroachment, the petitioners forcibly deterred the informant and other officials and threatened them of dire consequences.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Mohaniya P.S. Case No. 197 of 2019, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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