

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19148 of 2024

Arising Out of PS. Case No.-612 Year-2022 Thana- JOGAPATTI District- West Champaran

1. Amar Ram son of Narsingh Ram Village- Navagawan Ps- Yogapatti Dist- West Champaran
2. Prakant Sah @ Pragat Sah son of Late Bhukhal Sah Village- Navagawan Ps- Yogapatti Dist- West Champaran
3. Arvind Sah @ Arvind Kr. Sah son of Pragat Sah Village- Navagawan Ps- Yogapatti Dist- West Champaran
4. Samsul Haque @ Hakim Miyan son of Shamim Miyan @ Shamim Mian Village- Dhodhawaliya Ps- Jogapatti Dist- West Champaran
5. Lal Babu Ram son of Gorakh Ram Village- ambedkar Chowk Kuarpatti Machhargawan Ps- Yogapatti Dist- West Champaran
6. Arjun Ram @ Jainath Raj son of Lalbabu Ram Village- ambedkar Chowk Kuarpatti Machhargawan Ps- Yogapatti Dist- West Champaran
7. Dhruv Ram @ Dhrup Ram son of Gorakh Ram @ Gokhul ram Village- Bishunpurwa Machhargawan Ps- Yogapatti Dist- W.Champaran
8. Ramjeet Ram @ Ramjee Ram son of Laxam Ram Village- Ambedkar Chowk Machhargawan Ps- Yogapatti Dist- West Champaran
9. ramjeet Ram son of Devraj Ram @ Devram Ram Village- Ambedkar Chowk Machhargawan Ps- Yogapatti Dist- West Champaran
10. Lallan Ram son of Jayee Ram Village- Ambedkar Chowk Machhargawan Ps- Yogapatti Dist- West Champaran
11. Balister Ram son of Brahma Ram Village- Ambedkar Chowk Machhargawan Ps- Yogapatti Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Kirti
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. Learned counsel for the petitioners seeks

permission to withdraw this application with regard to petitioner



no. 1 submitting that during pendency of this application the petitioner no. 1 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with respect to petitioner no. 1 is dismissed as withdrawn.

5. Now, this application is being heard only with regard to petitioners no. 2 to 11.

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

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 384, 447, 427, 504/506 of the Indian Penal Code.

8. As per the prosecution case, the petitioners along with other co-accused persons are said to have destroyed the crops of the informant.

9. 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 there is admitted land dispute between the parties. He further submits that it is crystal clear that the case has been fabricated under the background of settlement of the land to the



petitioners in Land Ceiling Case No. 5/1993-94 (State vs. Binda Devi wife of Bijay Chandra Singh). Petitioners no. 4, 7 to 10 have no criminal antecedent, petitioners no. 2 and 5 have three criminal antecedent, petitioner no. 3 have five criminal antecedents, petitioners no. 6 and 11 have one criminal antecedent as mentioned in para-3 of this application.

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

11. Having regard to the facts and circumstances of the case and there is no specific overt act against the petitioners no. 2 to 11, 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 Jogapatti P.S. Case No.612 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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