

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45073 of 2024

Arising Out of PS. Case No.-97 Year-2022 Thana- MANJHAGARH District- Gopalganj

1. AWADH KISHORE RAM @ SHRI AWADH KISHORE RAM SON OF LATE TENI RAM VILLAGE -BHARKUIYA @ BHADAKUYIA, PS- MANJHAGARH, DISTRICT- GOPALGANJ
2. SURESH RAM @ SHRI SURESH RAM SON OF DWARIKA RAM VILLAGE -BHARKUIYA @ BHADAKUYIA, PS- MANJHAGARH, DISTRICT- GOPALGANJ
3. TUNA RAM @ SHRI TUNA RAM SON OF SHRI RAMASHISH RAM VILLAGE -BHARKUIYA @ BHADAKUYIA, PS- MANJHAGARH, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-07-2024 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 Manjhagarh Police Station Case No. 97 of 2022, dated 26.03.2022, disclosing offences punishable under Sections 188/327 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioners have encroached upon the land of Zila Parishad, causing disruption of access to general public.



4. Learned Counsel for the petitioners submits that the petitioners are having their own land adjacent to the land of the Zila Parishad and have not encroached upon the land of the Zila Parishad. He further submits that Encroachment Case No. 02 of 2022-23 has been filed under the Bihar Public Land Encroachment Act by the Circle Officer against the petitioners. In the said encroachment case, final order has been passed and the encroachment has already been removed.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the encroachment upon the subject land has been removed after the final orders having been passed in Encroachment Case No. 02 of 2022-23, 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 a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Gopalganj, in connection with Manjhagarh Police Station
Case No. 97 of 2022, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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