

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51738 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- BRAHMPUR District- Buxar

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1. Rajendra Prasad Gond @ Rajendra Prasad @ Raghvendra Prasad Gond S/o Shivnath Prasad R/o vill - Lakshman Dera Chakki, P.S. - Brahmpur (Chakki O.P Bhariyar), Distt. - Buxar
 2. Paras Gond @ Paras Nath Gond S/o Dokari Gond @ Dokari Gnd R/o vill - Lakshman Dera Chakki, P.S. - Brahmpur (Chakki O.P Bhariyar), Distt. - Buxar
 3. Birbal Gond S/o Paras Gond @ Paras Nath Gond R/o vill - Lakshman Dera Chakki, P.S. - Brahmpur (Chakki O.P Bhariyar), Distt. - Buxar
 4. Durga Gond S/o Paras Gond R/o vill - Lakshman Dera Chakki, P.S. - Brahmpur (Chakki O.P Bhariyar), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr.Kamal Deo Sharma, Advocate.

For the Opposite Party/s : Mr.Upendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-08-2024 Heard Dr. Kamal Deo Sharma, learned counsel appearing on behalf of the petitioners and Mr. Upendra Kumar, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners submits that the petitioner no.2 has been arrested during the pendency of the bail application and seeks to withdraw the prayer for pre-arrest bail on behalf of the petitioner no.2. As such, the prayer for pre-arrest bail on behalf of petitioner no.2 is dismissed as withdrawn.

3. The petitioner nos. 1, 3 and 4 seek pre-arrest bail in



connection with Brahmpur P.S. Case No. 183 of 2024 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 353, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the allegation made in the F.I.R., the petitioners along with other co-accused are said to have forcibly harvested the crop of the informant. Informant has admitted that there is land dispute between the co-villagers.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners are poor labourers and they were engaged in harvesting crop and due to ongoing land dispute between the parties, petitioners have been falsely implicated in the present case.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

7. Considering the nature of allegation made against the petitioners, the petitioner no. 1, 3 and 4 are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with



Brahmpur P.S. Case No. 183 of 2024, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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