

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40006 of 2015

Arising Out of PS.Case No. -213 Year- 2015 Thana -BRAHMPUR District- BUXAR

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1. Anil Dubey
2. Sunil Dubey Both are sons of Ram Kumar Dubey resident of village -
Pandeypur, P.S. Brahmpur, District - Buxar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nilesh Kumar, Advocate.

For the Opposite Party : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-09-2015 Heard both sides.

The petitioners seek bail in a case registered for the offences punishable under Sections 341, 323, 354, 427, 429, 436 and 34 of the Indian Penal Code and under Sections 3(i)(x)(xi) of the SC/ST Prevention of Atrocities Act.

The informant named the petitioners along with other accused persons and alleged that the accused persons assaulted his family members and the informant and thereafter set ablaze his house.

It is submitted that Plot No. 709 of Khata No. 124 area 8 decimal, out of which 4½ decimal of land was settled in favour of Ved Prakash Dubey in the year 1987-88 vide Settlement Case No. 3 of 1987-88. 3½ decimal of land was settled in favour of Late

Ram Sagar Gaur the ancestral of the informant vide Settlement Case No. 2 of 1992-93, but on real measurement the total area of Plot No. 709 was found only 7 decimal, therefore, the genuine dispute with regard to possession of their respective settlement arose and on account of this there is a land dispute between the parties.

Learned counsel for the informant as well as the learned APP has submitted that many persons were injured out of which two persons were operated to save their lives.

Having regard to the facts aforesaid that the occurrence took place due to possession of land, there is bona fide land dispute between the parties and omnibus and general allegation of assault is made against all the accused persons, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Brahmpur P.S. Case No. 213 of 2015.

(Prabhat Kumar Jha, J.)

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