

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.634 of 2015

Arising Out of PS.Case No. -73 Year- 2014 Thana -SAHIYARA District- SITAMARHI

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1. Amarjeet Sahni son of Feku Sahni
2. Feku Sahni son of Amrit Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-01-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

It would appear from perusal of the first information report, that occurrence took place when the informant ordered the petitioner to construct the house on a land. The allegation against the petitioner no. 1 is that he gave Dabiya blow on the head of the informant's son whereas allegation against petitioner no. 2 is general and omnibus.

The contention on behalf of the petitioners is that the petitioners were got constructing of their house on their own land but the informant and his other family members created hurdle in construction of the house, as a result of which the occurrence took place.

From perusal of the impugned order, I find that the

learned 2nd Additional Sessions Judge has mentioned the injury sustained by informant's son namely, Madan Singh and it has been mentioned by learned Additional Sessions Judge that the said injured sustained two injuries out of that one injury was found over parietal rigon. The opinion regarding the aforesaid injury was kept reserved but even after submission of the charge sheet, the nature of the aforesaid injury could not be brought on record by the prosecution. The injury reports of the informant as well as his son are not on the record.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Sahiyar P.S.case No. 73 of 2014.

(Hemant Kumar Srivastava, J)

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