

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28549 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -BISHUNPUR District- DARBHANGA

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1. Kanchan Kumar Choudhary son of Sudhir Kumar Choudhary
 2. Sachin Kumar Choduhary @ Sachin Kumar son of Bipin Kumar Choudhary
 3. Babloo Kumar Choudhary son of Chandra Bhushan Choudhary All residents of Village - Patori, P.S. - Moro, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajey Kumar

For the Opposite Party/s : Mr. Ram Sewak Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 23-07-2015 Heard learned counsel for petitioners and learned Additional Public Prosecutor for the State, assisted by learned counsel, appearing for the informant.

Petitioners apprehend their arrest in connection with Bishunpur P.S. Case No. 40 of 2014 registered for the offence under Sections-307, 427 & other minor sections of the Indian Penal Code.

There is case and counter case between the parties and admittedly, there is land dispute.

No doubt, petitioners are named in the first information report with specific allegation of assault and it is

alleged that petitioner No. 1 is said to have caught hold the informant whereas; specific allegation against petitioner No. 2 is that he gave dagger blow, causing injury on left elbow of the informant and so far as petitioner No. 3 is concerned; it is alleged that he assaulted the informant with lathi on his right leg but no sharp cutting injury/piercing injury has been found on the informant nor any injury has been found on his leg. The injuries of informant were examined by Medical Officer as well as Medical Board but it appears that all the injuries, found on the person of the informant, were simple in nature.

Considering the aforesaid facts and circumstances as well as submission of the parties, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioners named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bishunpur P.S. Case No. 40 of 2014 to the satisfaction of Chief Judicial Magistrate, Darbhanga subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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