

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39779 of 2015

Arising out of PS.Case No. -14 Year- 2015 Thana -BIRPUR District- SUPAUL

1. Jai Kishun Punasiya, Son of Late Subhak Lal Punasiya.
2. Sudhir Punasiya, Son of Late Kuhuk Lal Punasiya.
3. Sunil Punasiya, Son of Late Kuhuk Lal Punasiya.
4. Amrendra Baharkher, Son of Shri Kamanand Baharkher.
5. Surendra Baharkher, Son of Shri Kamanand Baharkher.
6. Kishun Khipoliya, Son of Late Khudi Lal Khipoliya.
7. Kapileshwer Sunrait, Son of Late Mangal Sunrait.
8. Binod Sunrait, Son of Shri Asharfi Sunrait.
9. Taranand Punasiya, Son of Late Mohan Punasiya.
10. Laxman Punasiya, Son of Late Ram Lakhan Punasiya. All are residents of village- Bhawanipur, P.S.- Birpur, District- Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Pranav Kumar, Advocate.
For the Opposite Party : Mr. A.A.Khan (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-10-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are apprehending their arrest in connection with Birpur P.S. Case No. 14 of 2015 for the offences instituted under Sections 147, 148, 149, 448, 341, 323, 324, 307, 380, 436 and 354 of the IPC.

The prosecution case, in brief, is that on 18.01.2015, when the informant was getting his house constructed over Plot No. 2148 with the help of the mason and labourer, all the petitioners alongwith 15 others forming an unlawful assembly armed with deadly weapons went over his land and forbade the

informant and his men from constructing house. The accused persons on protest brutally assaulted the informant and his family members and also ignited fire to his house. The accused persons took away house-hold articles worth Rs. 50,000/- and cash amount of Rs. 15,000/- from his house also.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. It is a case and counter case. Counter case is Annexure-2 to the present application. Annexure-3 is the injury report which indicates that the injury is simple in nature.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Birpur P.S. Case No. 14/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Birpur, Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)