

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49673 of 2014

Arising Out of PS.Case No. -67 Year- 2013 Thana -JADIA District- SUPAUL

- =====
1. Binod Sah @ Vinod Sah son of Upendra Sah
 2. Sulekha Devi wife of Hari Sah Both are Resident if village Jadia. P.S. Jadia, District- Supaul
 3. Anil Sah son of late Shambhu Sah a resident of village -Mahathaba, P.S. Bhargama , District- Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Ms. Pushpa Sinha ,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 The petitioners are apprehending their arrest in connection with Jadia P.S.Case No. 67 of 2013/ G.R.No. 943 of 2013 instituted for the offences under Sections 341, 342, 323, 324, 307, 326, 448 and 504/34 of the Indian Penal Code.

Heard leaned counsel for the petitioners and learned A.P.P. for the Sate.

The prosecution story is that one Arun Poddar gave a written report before the Officer Incharge Jadia Police Station District- Supaul to the effect that there is land dispute between him and Hari Sah and the same is pending before the court of Land Reforms Deputy Collector. On 25.06.2013 at about 10.30 A.M. the accused persons, namely, Hari Sah , his brother Prakash Sah,



Upendra Sah, Shatrughan Sah sons of Mity Sah, Anil Sah son of not know and other all female members including the wife of Hari Sah and about 15-20 unknown persons assembled and entered the house of the informant, caught him and Prakash Sah gave sword blow on his head and Hari Sah abused him. Shatrughan Sah told to cut his neck . Hari Sah and other unknown persons assaulted him and his family members. It is also alleged that house hold and chain were taken away. When the blood was oozing from the head of the informant, he became senseless and the accused persons fled away.

It is submitted on behalf of the petitioners that there is land dispute between the parties, and hence the petitioners have falsely been implicated in the present case. So far petitioner no.2 is concerned, she is a Pardanashin lady. Further it has been submitted that the police after investigation submitted final form showing the petitioners innocent. A copy of charge sheet is annexed as Annexure 2 to this application. Further it has been submitted that due to intervention of well wishers the matter has been compromised between the parties for the ends of justice. The compromise petitions are also annexed as Annexures 3 and 3/1 to the present application.

It has been submitted on behalf of the State that there

is direct allegation against the petitioners who have been involved in the offence, as alleged.

Considering the aforesaid facts and circumstances of the case, let above named petitioners, in the event of their arrest/surrender in the court below within four weeks, be released 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 learned J.M., 1st Class, Supaul in connection with Jadia P.S.Case No. 67 of 2013/ G.R.No. 943 of 2013, subject to the conditions, as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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