

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42058 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Anil Sah @ Anil Kumar Sah Son of Shiv Pujan Sah
 2. Lal Babu Sah Son of Jagarnath Sah
 3. Ranjeet Sah Son of Shivji Sah
 4. Raj Kumar Prasad @ Raj Kumar Sah Son of Shiv Pujan Sah
 5. Jagarnath Sah Son of Ram Narayan Sah

All R/o Village Sarsawa Ghat, P.S. Chiraiya, District East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 13-10-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code.

The prosecution case is that on protest being made for fixing poles in the land of the informant



petitioner no. 5 Jagarnath Sah assaulted the informant with Farsa whereas co-accused Rajesh Sah and Nand Kishore Sah snatched gold chain and two thousand rupees from the informant when the informant's brother, sister-in-law, uncle and aunt came to rescue then co-accused Shivji Sah and Shiv Pujan Sah assaulted the uncle of the informant with lathi and bamboo stick, petitioner no. 4 Raj Kumar Sah and co-accused Kedar Sah assaulted with Farsa to the sister-in-law of the informant, Sunita Devi. Petitioner no. 2 Lal Babu Sah and petitioner no. 3 Ranjeet Sah assaulted the brother of the informant, Suresh Sah.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and injuries of all the injured of the informant side have been found to be simple. There is a counter version of the occurrence and petitioners' side have also received injuries.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of

the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 116 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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