

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.43953 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -DIGHWARA District- SARAN

- =====
1. **Sujit Kumar @ Sujit Rai Son of Kriishna Rai.**  
2. **Nand Kumar Rai, Son of Ram Narayan Rai.**  
3. Krishana Rai Son of Late Dhana Rai. All are resident of Village Chhatar Chapra, P.S:- Dighwara, District- Saran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
ORAL ORDER

2      13-10-2015              Heard counsel for the petitioners, Mr. Raman  
  
learned APP for the State and counsel for the informant.

The three petitioners herein pray for grant of anticipatory bail in Dighwara P.S. Case No. 104 of 2015 registered under section 307 IPC. On account of measurement and possession of land the occurrence had taken place in which it is alleged that the three accused persons along with others assaulted the informant, his sister-in-law and aunt.

The contention of the petitioners is that there is counter version also in the shape of a complaint lodged on the following day by petitioner no.2. There is

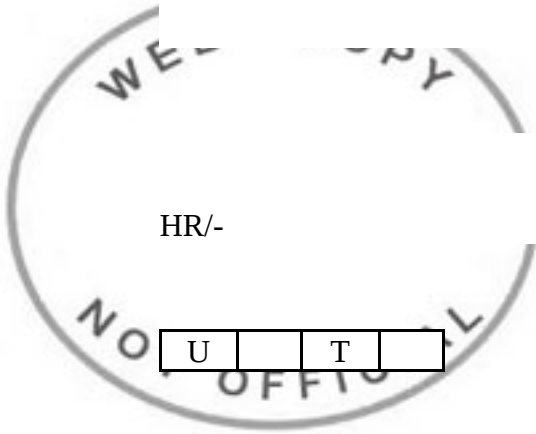
animosity between them from before. It is case of simple Marpit between the parties. The petitioners have no criminal antecedent.

Counsel for the State as well as the informant, on the other hand, points out that there is allegation of assault on the head of the informant attributed to Krishna Rai. The head injury is suspected to be grievous in nature. Other head injuries have been caused to Lakhpatiya Devi by other two accused persons who are not the petitioners.

Taking into consideration the submissions of the parties, prayer of petitioner no.3. Krishna Rai is rejected.

Let petitioner nos. 1 and 2 named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction CJM, Chapra in Dighwara P.S. Case No. 104 of 2015 on condition that one of the bailors shall be their own/close family members. In the event of framing of charge, they shall appear in person on each date fixed at the trial. In case of default in doing so on

two consecutive dates, the trial court shall have liberty  
to cancel their bail bonds.



**(Kishore Kumar Mandal, J)**