

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49542 of 2015

Arising Out of PS.Case No. -169 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Chandeshwari Sah son of Late Karmu Sah
 2. Pradeep Sah @ Pradeep Kumar son of Chandeshwari Sah
 3. Umesh Sah son of Guno Sah @ Guneshwar Sah
 4. Satish Sah son of Guno Sah @ Guneshwar Sah
 5. Dinesh Sah son of Bauku Sah
 6. Guno Sah @ Guneshwar Sah @ Guno son of Late Gudar Sah

All are residents of village- Chausa Basti, P.S. - Chausa, District –
Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhaw Paswan son of Ramswarup Paswan, resident of village- Chausa,
P.S. - Chausa, District – Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, Spl. APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Complaint Case No. 169 of 2015 registered under sections 341,
323 and 504/34 of the Indian Penal Code as well as section
3(1)(iii) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

It is contended that the instant case has been instituted
due to land dispute for which Title Suit No.319 of 2013 has been
filed by one of the petitioners, namely, Guno @ Geneshwar Sah
against the father and uncle of the complainant which is still
pending before the court of Civil Judge (Senior Division),

Madhepura. In the complaint, it has been alleged that occurrence took place on 9.4.2015 at 05.00 a.m., whereas in the statement of the complainant on solemn affirmation it has been stated that the occurrence took place on 9.4.2015 at 10 a.m. It is further contended that though the alleged occurrence is said to have taken place on 9.4.2015, the complaint was filed on 13.4.2015 without any explanation for the delay caused in filing the complaint.

Learned counsel for the State has opposed the application filed on behalf of the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Complaint Case No.169 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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