

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42664 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -JOGBANI District- ARRARIA
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1. LALU DAS @ LALU KUMAR SHARMA, SON OF DHANIK LAL DAS,
2. SEMA DEVI, WIFE OF DHANIK LAL DAS, BOTH ARE RESIDENT OF VILLAGE - HIGH SCHOOL CHOWK, DAKSHIN MAHESHWARI, P.S. - JOGBANI, DISTRICT - ARARIA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S
=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Rita Verma (App)
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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 09-10-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jogbani P.S. Case No. 26 of 2015 registered under Sections 341, 323, 326 and 307/34 of the Indian Penal Code.

The accusation is of causing injury by the petitioner no. 1 to Amit Sharma, son of informant through piece of bamboo and also to informant and his other son due to dispute occurred spreading dust in threshing of crops of Masur by petitioner no.2.

Learned counsel for the petitioners submits that the occurrence took place due to land dispute as the petitioners and the informant are the agnates. It is further submitted that while there is

specific allegation against the petitioner no. 1 to cause injury through piece of bamboo at the head of Amit Sharma but no specific overt act has been alleged against the petitioner no. 2.

Considering the aforesaid submissions, let petitioner no. 2, Sema Devi, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Jogbani P.S. Case No. 26 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Having considered the allegation against the petitioner no.1, Lalu Das @ Lalu Kumar Sharma, his prayer for grant of anticipatory bail stands rejected. The petitioner no.1 is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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