

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40064 of 2014

Arising Out of PS.Case No. -124 Year- 2013 Thana -LAKHAURA District-
EASTCHAMPARAN(MOTIHARI)

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1. Mahesh Prasad Son of Late Vishambhar Prasad Resident of Village -
Barwa, P.S. - Lakhaura, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 14-01-2015 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 6.6.2014 in Lakhaura
Muffasil P.S. Case No.124/13 for the offences under Section341, 323,
324, 307, 379 and 34 of the I.P.C.

It is submitted on behalf of the petitioner that he is full
brother of the informant and there is a long standing land dispute going on
between them.

During course of argument it has been stated that the
petitioner poured oil on the informant and lit the fire resulting in the burn
injury on the hand of the informant. It has also been submitted that, in fact,
after the death of the father of the informant and the petitioner, the
informant taking advantage of the fact that he was the eldest son, had been
trying to grab the entire property, which led to the dispute between them.
Learned counsel for the petitioner also submits that in para 40 of the case

diary the mother of the informant has also given her statement that when the informant asked for his share, the elder brother became annoyed which resulted in the quarrel. However, the mother has stated that, in fact, the informant sustained burn injury on account of an accident.

Considering the aforesaid submissions and the fact admittedly there is a family dispute and the petitioner has been in custody for more than six months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the S.D.J.M., Motihari, in Lakhaura (Muffasil) P.S. Case No.124 of 2013.

(Anjana Mishra, J)

AnilKrSinha/-

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