

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44071 of 2015

Arising out of PS.Case No. -32 Year- 2015 Thana -ALAMNAGAR District- MADHEPURA

- 1. Parmeshwar Ram, S/o Late Nand Kishor Ram.
- 2. Madan Ram, S/o Sri Parmeshwar Ram. Both are residents of Village- Alamnagar, P.S.- Alamnagar, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

- For the Petitioners : Mr. Anant Kumar-1
- For the Opposite Party : Mr. Ashok Kumar Singh 1 (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-12-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are languishing in custody since 02.07.2015 in connection with Alam Nagar P.S. Case No. 32 of 2015 for the offences instituted under Sections 147, 149, 341, 323, 325, 504, 506, 379 and 307 of the IPC.

The prosecution story, in brief, is that on 06.03.2015 at about 3.30 P.M., while the informant was flowing water behind his house on his land after cleaning his drainage then the petitioners alongwith other co-accused persons named in the FIR., having armed with Iron-rod and axe prohibited the informant from flowing the water then the informant told them that he will flow



water in his land then the petitioners and other co-accused persons started assaulting to the informant and members of his family due to which the informant Vikram Ram, Arjun Ram, Samir Ram and Navin Ram sustained injuries in their heads and Shyamlal Ram sustained injuries in his left hand and palm and Munna Ram sustained cut injury in his chest. It has been further alleged that during course of assault on hulla when the nearby villagers starting assembling there then co-accused Pradeep Ram took away golden chain worth Rs. 60,000/- from the neck of the informant and thereafter the accused persons fled away with threatening that he(informant) would be killed if he(informant) will go to the police station.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 02.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioners. General and omnibus allegation has been made against the petitioners. It is a case and counter case. Both sides have sustained injuries. There is an admitted land dispute between the parties.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj, Madhepura, in connection with Alamnagar P.S. Case No. 32/2015.

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(Sudhir Singh, J)