

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23585 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -UDAKISHANGANJ District- MADHEPURA

- =====
1. Janardan Ram Son of Late Asarfi Ram
 2. Ramesh Ram Son of Janardan Ram
 3. Umesh Ram Son of Janardan Ram
 4. Girish Ram Son of Janardan Ram
 5. Prema Devi wife of Ramesh Ram
 6. Punam Devi wife of Umesh Ram All resident of village- Lakshmipur, P.S. uda Kishunganj, District- Madhepura.
 7. Pawan Ram son of Sahdeo Ram resident of village- Maheshua, P.S. Uda-Kishunganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners are apprehending their arrest in

Uda-kishunganj P.S. Case No. 46 of 2015 registered under

sections 147, 148, 149, 341, 323, 325, 379 and 504 of the Indian

Penal Code.

As per F.I.R. the allegation against the

petitioners is that on 04.04.2015 at 09.A.M. the petitioners along

with 6-7 unknown miscreants were forcibly constructing on the

land of the share of the informant and the petitioners and



unknown persons were armed with weapons and when the informant objected then the petitioners Ramesh Ram having armed with iron made khanti, Umesh Ram having armed with a spade and Girish Ram having armed with lathi assaulted the informant causing fracture of his right hand and other several serious injuries and having received the injuries the informant fell down on the ground. It has been further alleged that other petitioners and miscreants entered into the house of the informant and assaulted Ramvati Devi W/o informant and Dipu Kumari and Archana Kumari daughters of the informant, , mercilessly and they took away cash of Rs. 30,000/- from the house by breaking the box.

On behalf of the petitioners it has been submitted that petitioners and the informant are Gotiya and admittedly there is land dispute between the parties as is evident from Annexure 2 and 3 of the present application. It is further submitted that due to land dispute a free fight took place between the parties. So far as the allegation of assault is concerned, at best section 325 I.P.C. is made out.

On behalf of the State it is submitted that the petitioners are named in the first information report.

Considering the aforesaid facts the above named petitioners in the event of their arrest or surrender before the court below within a period of four week from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Uda-Kishnganj P.S. Case No. 46 of 2015, subject to the conditions laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

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