

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39007 of 2015

Arising Out of PS.Case No. -314 Year- 2014 Thana -PHULPARAS District- MADHUBANI

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1. Jagdish Mahto S/o Late Asharfi Mahto
2. Bhogi Mahto S/o Jagdish mahto
Both of R/o Village Ghuskipatti, P.S. Phulparas, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Smt. Suman Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 504, 324, 448, 323, 307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that petitioner no. 1 has constructed house on the Government land, in front of the house of the informant, protest was made, when all the accused persons came variously armed and entered in the courtyard of the informant. Petitioner no.2 resorted to fire which hit on the left thigh of the informant, co-accused Surendra Mahto assaulted with farsa on the right leg of the informant, the son of the informant Siyaram also sustained injury on his head. All the accused persons also

assaulted Ram Kumar Mahto and Rinku Kumari, causing injury.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. There is counter version of the occurrence. The injury reports do not suggest any fire-arm injury and injury of all the injured including the informant have been found to be simple in nature, caused by hard and blunt substance.

Considering the accusation being corroborated with the medical opinion, there is counter version of the occurrence and accusation has been levelled in the background of land dispute, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jhanjharpur in connection with Phulparas P.S. Case No. 314 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

P.K./-

(Dinesh Kumar Singh, J)

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