

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4965 of 2015

Arising Out of PS.Case No. -135 Year- 2014 Thana -PHULWARIA District- GOPALGANJ

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1. Kashi Nath Pandey S/O Late Lalan Pandey
2. Sunil Pandey Son of Kashi Nath Pandey
3. Kamleshwar Nath Pandey@Kamleshwar Pandey Son of Bhola Pandey
4. Anil Pandey Son of Sudama Pandey
5. Ramadhar Pandey Son of Bishwanath Pandey
6. Vinod Pandey@Birbal Pandey Son of Parmatma Pandey
7. Urmila Devi W/O Upendra Pandey
All are Resident of vill-Sawanahi Patti,P.S-Phulwaria,Distt.-Gopalganj
..... Petitioner/s

Versus

1. The State of Bihar
2. Bhagrasan Mahton S/O Late Sahdev Mahton Resident of vill-Sawanahi Patti,P.S-Phulwaria,Distt.-Gopalganj
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-02-2015 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, 341, 447, 323, 324, 307, 379 & 504 of the Indian Penal Code.

It is alleged that petitioner no. 1 came variously armed and started ploughing the land of the informant. When protest was made, the petitioner no. 1 assaulted with farsa over the head of the informant. When informant raised alarm then Surja Devi, Chandavati Devi, Maheshwar Mahto, Surendra

Kumar came to rescue informant then they were also assaulted them.

It is submitted by the learned counsel for the petitioners that the land in question is recorded in the Revenue records in the name of the petitioners' side and in the background of the land dispute, the accusation has been levelled. The injury of the informant is found to be simple. From the First Information Report it does not appear that any injury was caused to others apart from the informant. There is counter version of the occurrence also and the statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory 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 Judicial Magistrate, Ist Class, Gopalganj in connection with Phulwaria P.S. Case No. 135 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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