

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39538 of 2015

Arising out of PS.Case No. -244 Year- 2015 Thana -SONEPUR District- SARAN

1. Suresh Rai, Son of Jawahir Rai.  
2. Rabindra Rai, son of Jawahir Rai.  
3. Vikash Rai @ Vikas Kumar, son of Anil Rai.  
4. Ranjan Kumar @ Vikas Rai, Son of Shyam Rai. All are residents of Village - Sabbal Pachheyari Tola, P.S. - Sonepur, District - Saran.  
..... Petitioners

Versus

The State of Bihar.

..... Opposite Party

Appearance :

For the Petitioners : Mr. Kamlesh Kumar Pathak, Advocate.  
For the Opposite Party : Mr. P.N.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are apprehending their arrest in connection with Sonepur P.S. Case No. 244 of 2015 for the offences instituted under Sections 341, 323, 325 and 307/34 of the IPC.

The prosecution story, in brief, is that on 15.06.2015, the brother of the informant Bidhanchand Rai was going to Naya Bazar, Sabalpur. In the meantime, he reached near the Bathan of his villager Chandeshwar Rai, all the accused persons in collusion with each other assaulted to his brother Bidhanchand Rai by means of Lathi, Danda and Rod and the informant received injury and both hands were fractured due to assault. It is further alleged

that the brothers of the informant went to Referral Hospital for treatment and thereafter to Sadar Hospital, Hajipur. Lastly, it is disclosed that there is land dispute between the parties.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that there is an admitted land dispute between the parties. The present case is said to have been instituted after two days of the occurrence. For the said delay, no explanation has been made on behalf of the prosecution.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Sonapur P.S. Case No. 244/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)