

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43065 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -MANER District- PATNA

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1. Prithavi Rai
2. Ram Kishore Rai
3. Ram Shushil Rai
4. Rajdev Rai
All sons of Late Jagat Rai,
5. Manoj Kumar Rai
6. Brajesh Kumar @ Brajesh Kumar Rai
Both sons of Raj Kishore Rai
7. Ashok Rai
8. Ajay Rai
9. Sudhir Rai
10. Mukesh Rai
All sons of Ram Shushil Rai,
11. Manchit Rai
12. Kameshwar Rai
Both sons of Rajdev Rai
13. Jitendra Rai
14. Godhan Rai
Both sons of Pritavi Rai
All R/o village- Chintawan, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party/s : Mr. Md.Arif (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-12-2015 Heard both sides.

The petitioners (14 in number) apprehend their arrest in
Maner P.S. Case No. 115/2015, registered for the offences

punishable under Section 307 and other sections of the Indian Penal Code.

The informant Kamaldev Rai alleged that Prithvi Rai petitioner no. 1 was forcibly fixing pillar in his land and on protest all other accused persons having armed with different weapons came. Ram Kishore Rai assaulted the informant Kamaldev Rai with iron rod on his head. The head was broken. Manoj Rai is alleged to have assaulted with fist and slap. Brajesh Rai took out box containing money, clothes and some documents. Ajay Rai assaulted Shankar Rai brother of the informant on his head. Ram Sushil Rai petitioner no. 3 assaulted Collector Rai father of the informant with lathi on his hand. It is alleged that Prithvi Rai, Jitendra Kumar, Godhan Kumar assaulted his uncle Binda Rai.

It is submitted that there is a counter version and 18 accused persons indiscriminately assaulted Ram Kishore Rai. All the 18 accused persons had already been enlarged on bail on the ground that there is omnibus and general allegation against the accused persons.

It is further submitted that the injury report are annexed with the case diary. There is bona fide land dispute. From perusal of the injury report it appears that no grievous injury is caused to anyone except one Collector Rai who is alleged to have been

assaulted by Ram Sushil Rai with lathi on his hand.

It appears that there is a bona fide land dispute between the two parties and on account of which the occurrence took place. The accused persons of the case, lodged from the side of the petitioners, have already been granted anticipatory bail.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Addl. Chief Judicial Magistrate, Danapur, Patna in connection with Maner P.S. Case No. 115/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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