



Arising Out of PS.Case No. -11 Year- 2014 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

1. Sri Bhagwan Sah son of late Mukh lal Sah
2. Mohan Kumar Sah@Mohan Sah Son of Mahendra Sah All Residents of Village- Jhanjhara, Police Station- Jitna ,District East Champaran(Motihari)

..... Petitioner/s

Versus

- ## 1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015

Heard learned counsels for the petitioners,
e State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

On protest being made for constructing wall obstructing the pathway of the informant, the accused persons assaulted the informant. It is alleged that co-accused Jamuna Sah assaulted with Garasa to the niece of the informant, whereas petitioner No. 2 Mohan Sah assaulted with Farsa on the head of the informant and petitioner No. 1 assaulted sister-in-law(Bhabhi) of the informant causing injury on the left palm.

The nephew of the informant was assaulted by co-accused Ram Niwas Sah. The accused persons snatched Rs. 25,000/- from the informant whereas co-accused Laichi Devi snatched gold chain.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The injuries of the informant and his sister-in-law(Bhabhi) have been found to be lacerated, simple in nature, caused by hard and blunt substance, though opinion with regard to some of the injuries has been kept reserved. There is counter version of the occurrence also and petitioners' side also received injuries.

It is submitted by learned counsel for the informant that one of the injuries of the informant has been found on the vital part of the body and the opinion with regard to the same has been kept reserved.

Considering the nature of accusation in the background of land dispute and major part of the accusation is not being corroborated with the medical opinion, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sikarhana, East Champaran, Motihari in

connection with Ghorasahan(Jitna) P.S. Case No. 11 of 2014,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

Shageer/-

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(Dinesh Kumar Singh, J)