

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23157 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

1. Chiko Bahardar  
2. Chamaru Bahardar Both Son of latem Tin Kouri Bahardar  
3. Parbhu Bahardar  
4. Pappu Bahardar  
5. Ranji Bahardar@Ranji Bahardar@Ranjit Bahardar 3 to 5 petitioners sons of Chamaru Bahardar  
6. Mala Devi Wife of Chiko Bahardar  
7. Parbha Devi wife of Chamaru Bahardar  
8. Zanardhan Sah Son of late Jagat Lal Sah All Resident of Village- Majkuri PS Kochadhaman, District Kishanganj.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anuradha Singh (App)

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
ORAL ORDER

3      04-08-2016      Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kochadhaman P.S. Case No. 15 of 2016 registered for offence punishable under Sections 143, 341, 323, 354 (B), 365, 504/34 of the Indian Penal Code.

The prosecution case as lodged on the basis of written application by the informant Bhagwan Lal Sah before the Deputy Superintendent, Kishanganj on 28.01.2016 in which it is alleged



that all accused persons came to his land and started cutting their way where the informant was living for more than thirty years and upon protest by his family members, all accused persons started assaulting with intention to kill the informant's son Munna Kumar, who protested due to which his head was badly injured. Accused persons also assaulted his wife and his son. In the meantime, villagers came and rescued them and all accused persons fled away.

It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and have committed no offence. He further submits that although the date of occurrence is 20.04.2015, F.I.R. has been lodged on 01.02.2016 and no plausible explanation has been given for such delay. He submits that the allegations upon these petitioners are general and omnibus and there is land dispute between the parties for which proceedings before the S.D.O., Kishanganj vide case No. 708/2014 is continuing. The petitioner states that they have no criminal antecedent, as is evident from para-3 of this application.

However, learned A.P.P. for the State submits that petitioners are named in the F.I.R., hence, opposes the prayer for ball.

Be that as it may, since the matter relates to land

dispute, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj inb connection with Kochadhaman P.S.Case No. 15/2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal procedure.

**(Nilu Agrawal, J)**

Sudha/-

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