

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9648 of 2016

Arising Out of PS.Case No. -212 Year- 2015 Thana -MAHISI District- SAHARSA
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1. Binod Mahto Son of Late Mishri Mahto
2. Bhavesh Mahto
3. Rajesh Mahto Both sons of Binod Mahto
4. Sumitra Devi W/O Binod Mahto
5. Rinku Devi W/o Gorakh Mahto
6. Babita Devi W/O Bhavesh Mahto
7. Gauri Devi, W/o Rajesh Mahto All Residents of village- Kandaha, P.S.-
Maheshi, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma
For the Opposite Party/s : Mr. Braj Kishore Prasad(App)
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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioners and
the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Maheshi P.S. Case No. 212 of 2015 registered under Sections 147, 447, 341, 323, 354(A), 308, 380 and 504 of the Indian Penal Code.

The prosecution case is that on 12.10.2015 at about 8:30 am petitioner Binod Mahto started uprooting the pillar fixed for demarcation of land. When the informant made protest, then he was abused and dashed by the petitioners. At that time, on the order of Binod Mahto, Bhavesh Mahto assaulted the informant in which he sustained injury.

Learned counsel appearing on behalf of the petitioners submits that admittedly there is land dispute in between the parties and some altercation took place at the place of occurrence. Regarding the said occurrence, Maheshi P.S. Case No. 213 of 2015 is also instituted against the informant of the present case. It is further submitted that moreover, the injury, as said to be caused, is simple in nature.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Saharsa in connection with Maheshi P.S. Case No. 212 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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