

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 17672 of 2016

Arising out of P.S. Case No. -151 Year- 2015 Thana -RAXAUL
District- EASTCHAMPARAN (MOTIHARI)

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1. Sunil Prasad Son of Ramprit Sah.
 2. Keshwar Sah Son of Late Lakhan Sah. Both Resident of Village- Sri Rampur, Police Station- Raxaul, District- East Champaran.
 3. Ramesh Prasad @ Ramesh Kumar, Son of Dhanraj Sah.
 4. Dhanraj Sah Son of Late Sheo Baran Sah. Both Resident of Village- Baikunthwa, Police Station- Darpa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s: Mr. S.M. Rahman (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

04. 22.07.2016

Heard both sides.

The Petitioners apprehend their arrest in Raxaul P.S. Case No. 151 of 2015 registered for the offences punishable under Sections 341, 323, 324, 308, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The Informant alleged that while he was returning from Raxaul market to his house he saw the petitioners working in the field. On inquiry, the accused persons made firing. Sunil Prasad assaulted the Informant with spade on his head.

It is submitted that Bhulan Sah, the father of the Informant executed a sale deed with regard to the same land

on 26.12.2003 but the Informant and others wanted to dispossess the petitioners from the aforesaid land which was sold by Bhulan Sah, the father of the Informant. The injuries found on the head of the Informant are simple in nature. The Police did not find any sign of firing on the place of occurrence and there is a counter-version. On account of land dispute, the occurrence took place and the father of the Informant had already sold the said land in favour of the petitioners in the year 2003.

Considering the facts aforesaid, the Petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Raxaul at Motihari in connection with Raxaul P.S. Case No. 151 of 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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