

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18080 of 2016

Arising out of P.S. Case No. - 1593 Year - 2012 Thana - WEST CHAMPARAN COMPLAINT
District - WESTCHAMPARAN (BETTIAH)

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1. Kari Lal Sah, Son of Late Ragubir Sah
 2. Rajesh Sah, Son of Kari Lal Sah
 3. Baliram Sah, Son of Kari Lal Sah
 4. Deo Saran Sah, Son of Late Mathura Sah
- All are resident of village - Murli Bharahwa, Police Station - Gaunaha,
District - West Champran

.... Petitioners

Versus

1. The State of Bihar.
2. Hoshila Ram, Son of Sukdeo Ram, resident of Village - Murli
Bharahwa, Police Station - Gaunaha, District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Parties : Mr. Sadanand Paswan, Spl. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-07-2016 Heard Mr. Sanjay Kumar No. VII and Mr. Bimlesh
Kumar Pandey, the learned counsel appearing on behalf of the
petitioners and the complainant.

The petitioners apprehend their arrest in Complaint
Case No. 1593(C) of 2012 (Trial No. 2650 of 2015) registered for
the offences punishable under Sections-323, 324, 325, 427, 379,
504/34 of the Indian Penal Code and Section 3(x) of the Scheduled
Castes and Scheduled Tribes Act, 1989.

The complainant alleged that on 03.07.2012 the
accused persons came and assaulted causing different injuries and
also abused naming his caste.

It is submitted that a Panchayati was held on

06.07.2012 with regard to the land in dispute but the complainant has filed the present complaint and the petitioners also filed a Complaint Case No. 1662(C) of 2012 against Sukdeo Ram and others on account of some dispute only after a week of the occurrence.

Learned counsel for the complainant, however, opposed the prayer for anticipatory bail and submitted that there was injury on the persons of the complainant and others. It appears that the complaint itself was filed after seven days of the occurrence and there appears to be land dispute between the parties.

Considering the facts aforesaid, the petitioners above named, 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Bettiah, West Champaran in connection with Complaint Case No. 1593(C) of 2012 (Trial No. 2650 of 2015), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Kundan/-

(Prabhat Kumar Jha, J)

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