

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47430 of 2016

Arising Out of PS.Case No. -73 Year- 2015 Thana -BANIAPUR District- SARAN

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1. Ranjeet Rai, S/o Shankar Rai, resident of Village- Chhatkala P.S.- Baniyapur, Distt- Saran at Chapra.
 2. Kanchan Rai, S/o Munshi Rai, resident of Village- Katya Deo Lal Ke Tola, P.S. Janta Bazar, Distt- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate

For the Opposite Party : Smt. Sucheta Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Baniyapur P.S. Case No. 73 of 2015, registered for the offences punishable under Sections 147, 341, 323, 324, 325, 307, 379, 506 and 504 of the Indian Penal Code.

Allegedly, in the occurrence the petitioner Kanchan Rai, assaulted with iron rod on the hand of the informant causing fracture and when Dhanyog Rai elder brother of the informant came for rescue he was assaulted by Shankar Rai by lathi and Ranjeet Rai assaulted with lathi on his shoulder causing the injury and further Kanchan Rai the petitioner snatched gold chain from Dhanyog Rai.



Submission is of false implication and that due to land dispute there is case and counter case. Both sides have received injuries, injury no. 3 of the informant which is on right temporal region has been found simple in nature and further for that the petitioners are not responsible. Petitioners have not assaulted on vital part and, as such they deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances as stated above, considering that there is case and counter case bearing Baniyapur P.S. Case No. 74 of 2015, both sides have received injuries and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on 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 Chief Judicial Magistrate Saran at Chapra, in connection with Baniyapur P.S. Case No. 73 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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