

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38100 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -CHAURADANO
District- EAST CHAMPARAN(MOTIHARI)

- =====
1. Tapesar Rai, Son of Dhenusk Rai.
 2. Gobind Rai, son of Late Dasrath Rai.
 3. Gajendra Rai, son of Jimilal Rai.
- All resident of Village- Mahuwa, P.S.- Mahuwa,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate
For the Opposite Party/s : Smt. Pronati Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Chhauradano P.S. Case No.61 of 2016 for
allegedly having committed the offence under Sections 341,
323, 324, 326, 307, 379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
there is a case and counter case between the parties. It is
further submitted that the informant and the petitioners are
agnates. There is dispute with regard to the *Kathal* tree.
Admittedly, the occurrence took place on account of plucking

of *Kathal* fruits from the tree. There is no premeditation so as to attract the provisions of Section 307 I.P.C.

Considering the relationship between the parties and the nature of allegations and also a history of land disputes between the parties, let 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, be released 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 learned S.D.J.M., Raxaul at Motihari, in connection with Chhauradano P.S. Case No.61 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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