

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9359 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -TARIYANI CHOWK District- SHEOHAR

- =====
1. Nageshwar Prasad Singh @ Nageshwar Singh, Son of late Ram Swarath Singh,
 2. Mirtunjay Kumar Singh @ Mrityunjay Kumar Son of Nageshwar Singh,
 3. Anish kumar son of Alok Singh,
- All residents of Village- Jagdishpur Kothiya, P.S. Tariyani, district Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate.

For the Opposite Party/s : Mr. Arbind Kumar Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 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 Tariyani P.S. Case No. 98 of 2015 registered under Sections 147, 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The accusation is that informant along with his brother and nephew were making ridge over his land then ten persons including the petitioners came there armed with Farsa, lathi and iron rod. At that time, petitioner no. 1 gave farsa blow at the head of Raman Kumar Singh, brother of the informant,

petitioner no. 2 gave iron rod blow at the head of Mukesh Kumar Singh ,who fell down and petitioner no. 3 gave Farsa blow at the head of Roushan Kumar.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that there is land dispute between the prosecution party and the accused persons named in the F.I.R. It is further submitted that, in fact, occurrence took place due to land dispute, in which, petitioner no. 1 also sustained grievous injury and other defence party also sustained injury, regarding which, on the basis of the written report of petitioner no. 1 Nageshwar Prasad Singh @ Nageshwar Singh, Tariyani P.S. Case No. 99 of 2015 was instituted against the informant of the present case and his other family members and informant and four others have already been granted privilege of anticipatory bail by a bench of this Court vide order dated 17.03.2016 passed in Criminal Misc. No. 11386 of 2016 in the said case.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their 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) each with two sureties of the like

amount each to the satisfaction of the A.C.J.M., Sheohar, in connection with Tariyani P.S. Case No. 98 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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