

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55002 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -LAUKHI District- MADHUBANI

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1. Chhedi Das, S/o Akalu Das,
2. Motilal Das, S/o Chhedi Das,
3. Om Prakash Das, S/o Jai Lal Das,
4. Sanjay Das, S/o Khattar Das,
5. Ghurani Devi, W/o Meera Das, All are resident of Village- Narahiya Tola- Dhanjaiya, P.S.- Lankahi, District- Madhuban.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Sri Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-12-2016 Learned counsel for the petitioners submits that petitioner no. 2, Motilal Das, has been arrested by the police, so he seeks permission to withdraw this application.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn against petitioner no. 2.

Heard learned counsel for the petitioner nos. 1, 3, 4 and 5 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Laukahi P.S. Case No. 59 of 2016 registered under Sections 147, 149, 341, 323, 307, 448, 427, 354, 379, 504 and 506 of the



Indian Penal Code.

The accusation is that petitioners named in the F.I.R. armed with farsa and spade came at the purchased land of the informant and started to construct the wall. When the informant made protest then all accused persons started to abuse and dismantle his hut. At that time, petitioner no. 1 gave farsa blow at the head of informant. When Jalo Devi and Debki Devi, wife and daughter of informant, rushed to save him then both were also assaulted by the accused persons.

Learned counsel for the petitioner nos. 1, 3, 4 and 5 submits that while the allegation has been made about causing injury at the head of the informant by petitioner no. 1 and also caused injury to Jalo Devi and Debki Devi, wife and daughter of informant, by accused persons named in the F.I.R. but only Deoki Devi was examined by the Doctor. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 1, 3, 4 and 5 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 J.M. Ist



Class, Jhanjharpur, Madhubani, in connection with Laukahi P.S.
Case No. 59 of 2016, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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