

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9369 of 2016

Arising Out of PS.Case No. -186 Year- 2015 Thana -RAGHOPUR District- SUPAUL

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1. Arbind Kumar @ Arvind Kumar Khan son of Shri Kedar Singh
2. Shankar Khan, son of Shri Kedar Khan Both resident of village- Hulash,
P.S.- Raghopur, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-04-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Raghopur P.S.
Case No. 186 of 2015 registered for the offences punishable under
Sections 307, 354-A, 341, 323, 324, 504 and 506/34 of the Indian
Penal Code.

Allegedly, Arbind Kumar Khan assaulted the
informant with *Farsa* on his head causing cut and bleeding injury
and further he assaulted the wife of the informant Rima Devi with
Farsa causing injury on her head, right leg and hand. The
petitioner Shankar Khan assaulted with axe on the head of the
informant which was stopped by left hand causing injury in the
left hand.

Submission is of false implication due to land dispute,

there is case and counter case, informant has sustained swelling and cut injuries which are simple in nature and Rima Devi has received grievous injuries which are fracture, no injury has been found caused by sharp cutting weapon and, as such, the petitioners who are suffering in custody since 03.12.2015 deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering the land dispute going on between the parties and further that there is case and counter case and, as such, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Birpur, Supaul in connection with Raghopur P.S. Case No. 186 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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