

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9106 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -LAXMIPUR District- JAMUI

- =====
1. Mahesh Pandit, son of Late Birju Pandit
 2. Girish Pandit, son of Late Birju Pandit
- Both are residents of Village- Chinberia, P.S.- Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. R.N. Jha (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 307, 380, 354, 504/34 of the Indian Penal Code.

The prosecution case is that on 30.08.2015 at 7.00 A.M. the informant went to land and found co-accused Bishundeo Pandit and Ghutar Pandit were sowing seeds on the land of the informant. On protest being made, the accused persons came in the house of the informant when co-accused Bishundeo Pandit, ordered and gave farsha blow on the head of Anandi Pandit, as a result Anandi Pandit fell down thereafter petitioner no. 2 Girish Pandit assaulted on the head of

Lalan Pandit by means of Axe, whereas petitioner no. 1 Mahesh Pandit assaulted with knife on the head of Sukhdeo Pandit.

It is submitted by the learned counsel for the petitioners that in the background of land dispute accusation has been levelled. Both the petitioners alleged to have made assault by sharp cutting weapon, but the injuries of Lalan Pandit and Sukhdeo Pandit have been found to be simple in nature caused by hard and blunt substance. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. There is counter version of the occurrence.

Considering the accusation being not corroborated with the medical opinion, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui in connection with Laxmipur P.S. Case No. 167 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--