

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5611 of 2016

Arising Out of PS.Case No. -611 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Birendra Prasad Sah @ Birendra Sah son of Late Parmeshwar Sah,
 2. Niranjana Sah, son of Birendra Prasad Sah, Both are resident of Village- Bhag Kohaliya, Ward No. 9 P.S.- Forbesganj, Dist- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Forbesganj P.S. Case No. 611 of 2015 for the offences instituted under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

As per prosecution case while the informant was going his house on 29.10.2015 at 9 P.M. in the night reached near bamboo grove the petitioners surrounded him and abused and assaulted him with fists and feet. The petitioner Niranjana Sah caused injuries on the head of the informant by means of *farsa*. When Suman Sah came for his rescue, he also caused injury to Suman Sah on his head. During the course of assault, the

petitioner Birendra Sah took away golden chain and Rs.22,000/- cash from the possession of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioners and the informant are agnates. There is admitted land dispute between the parties. From perusal of the injury report, it appears that the nature of injuries are simple, hence no offence under Section 307 of the IPC is made out.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 in connection with Forbesganj P.S. Case No. 611 of 2015 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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