

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27208 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

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1. Janardan Bin @ Janardan Bind son of late Kamal Bind resident of
village- Baheri Asthan Police Station-Piprasi,District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 06.09.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307
and other minor sections of the Indian Penal Code.

Petitioner and 12 others are named in the first information
report whereas 7 to 8 persons are said to be unknown and accusation
against all the named and unknown persons is that they mercilessly
assaulted the informant and 8 others by means of lathi, bhala, farsa etc
as a result whereof 9 persons including the informant sustained injury.
Some injured of this case sustained grievous injury.

Submission on behalf of the petitioner is that there is case
and counter case between the parties and, as a matter of fact, on the
alleged date of occurrence, it was the prosecution party who assaulted
one Dasrath Bin as a result whereof the aforesaid Dasrath Bin died in
course of his treatment and Piprasi P.S. Case no. 01/2016 was lodged

against the prosecution party of the present case. It is further submitted that co-accused Harihar Bin and ten others have already been granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 2.9.2016 passed in Cr. Misc. no. 30563/2016.

Considering the aforesaid submissions as well as this aspect of the matter that no specific overt-act has been attributed against the petitioner and the present occurrence appears to have taken place on account of land dispute, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate II, Bagaha District West Champaran in Piprasi P.S. Case no. 02/2016.

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(Hemant Kumar Srivastava,J)

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