

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29963 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Lalan Sah Son of late Rekha Sah
 2. Kalicharan Sah Son of Late Rekha Sah
 3. Arun Kumar Sah@Arun Sah Son of Kalicharan Sah
 4. Bikrama Sharma Son of late Kodai Sharma All are Resident of Village: Lerua, P.S. Maharajganj District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sri Umanath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 08-09-2016 Heard both sides.

The petitioners apprehend their arrest in Maharajganj P.S. Case No. 16/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant alleged that the petitioners filled the drainage with soil situated on Gairmajarua land from where the drainage water of the informant was flowing, when the informant objected the petitioners and others began to abuse and assault him and his family members. It is further submitted that Lakhan Sah assaulted his father with spade on his head.

Learned counsel for the petitioners submits that there is counter version bearing Maharajganj P.S. Case No. 12/2016.

There is no specific allegation of assault against the petitioners. The injured persons got simple injuries except Shyamdev Yadav. Petitioner no. 2 is only alleged to have snatched money from the possession of the informant.

Learned counsel for the informant as well as learned A.P.P. opposed the prayer for anticipatory bail of the petitioners, but did not dispute the facts that there is case and counter case on account of land dispute.

Considering the facts aforesaid and the fact that there is omnibus and general allegation of assault against the petitioners and on account of land dispute there is case and counter case, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 16/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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