

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51674 of 2016

Arising Out of PS.Case No. -216 Year- 2016 Thana -SURYAGARHA District- LAKHISARAI

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1. Sintu Kumar,
2. Mantu Kumar @ Mantu Kumar Patel,
3. Ankit Kumar, All sons of Mahendra Mahto,
4. Mahendra Mahto, son of Late Kishun Mahto @ step son of Ramprasad Mahto,
5. Amartyasen @ Amratyu Sen Son of Rajendra Mandal, All resident of Village- Jakarpura, P.S.- Suryagadhre, District- Lakhisarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party : Mr. Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Suryagadhra P.S. Case No. 216 of 2016 for the offences instituted under Sections 341, 323, 324, 307, 504 and 354/34 of the IPC.

The prosecution story, in brief, is that on 07.09.2016 at 6.00 A.M., the rain water was going through the field of the informant but co-accused Rajendra Mandal stopped the said water for that he protested the same. Thereafter FIR named accused



persons came with various arms. Petitioner no. 1 passed Farsa upon Rajendra Mandal then all the accused started abusing and given threatening. On the order of co-accused Rajendra Mandal, petitioner no. 1 caught hold the informant's wife and thrown on the field. Co-accused Shashank Shekhar @ Gautam and Rajendra Mandal assaulted with Farsa to the informant's wife as a result of which, she sustained head injury. The injured was admitted in the hospital.

It has been submitted on behalf of the petitioners that the petitioner nos. 1, 3 and 5 have got no criminal antecedent but the petitioner nos. 2 and 4 have got criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. There is land dispute between the parties. Both the parties are agnates. No specific injuries have been attributed against the petitioners. The main allegation is against co-accused Shashank Shekhar @ Gautam and Rajendra Mandal. The alleged occurrence is said to have taken place due to a petty reason.

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 Suryagadhra P.S. Case No. 216/2016 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 C.J.M., Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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