

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11091 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -DHANSOI District- BUXAR

- =====
1. Bhola Ram S/o Mangru Ram
 2. Sunil Ram
 3. Rahul Ram Both son of Bhola Ram all are R/O of Village- Dariyapur,
P.S.- Dhansoi, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Deo Singh, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 323, 341 and 307/34 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted sons of the informant when they went to remove a Neem tree which had fallen down near their house. The said Neem tree caused breaking of the terrace of accused Bhola Ram.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. They have falsely been implicated in the present case. It is a case and counter case between the parties. From perusal of the injury report it would appear that nature of injury is simple. Hence, no offence under Section 307 of the Indian Penal Code is made out.

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

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Buxar, in connection with Dhansoi P.S. Case no. 116 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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