

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49044 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jagu Rai Son of Late Mahabir Rai, Resident of Village - Rampur Khajuria, Tola - Rampurwa, P.S. -Dumariya Ghat, District - East Champaran at Motihari.
 2. Ramadhar Rai, Son of Late Mahabir Rai, resident of villae- Rampur Khajuria, Tola - Rampurwa, P.S. - Dumariya Ghat, District - East Champaranat Motihari.
 3. Birendra Rai, son of Ramadhar Rai, resident of villae -Rampur Khajuria, Tola - Rampurwa, P.S. -Dumariya Ghat, District -East Champaran at Motihari
 4. Bhaju Rai, son of Late Mahabir rai, resident of village - Rampur Khajuria, Tola -Rampurwa, P.s. - Dumariya Ghat, District - East Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate
For the Opposite Party : Mr. Ataur Rahman, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Dumaria Ghat P.S. Case No. 30 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case that on 15.04.2015 the villagers



of his village, namely, Jagu Rai, Tapeswar Rai, Jhagroo Rai, Ramadhar Rai, Birendra Rai, Bhaju Rai, Satyendra Rai and the wives of above said seven persons in conspiracy to each other they digging the plinth in the land of the informant for encroachment of his land and on protest all the accused persons armed with weapons and they with intention to kill him rolled the towel in the neck of the informant and they thrown the informant on the earth and they gave *farsa* blow over the head of the informant which caused cut injury and also assaulted him which caused injury on the arms, nose and teeth and also the accused persons took Rs.30,000/- from the pocket of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case between the parties. General and omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners. The allegation of assault is against three persons. Three persons are said to have been injured in course of the occurrence and only one injury is being said to be grievous in nature, i.e., of Darshan Rai.

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 Dumaria Ghat P.S. Case No. 30 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, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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