

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9736 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -DUMRAUN District- BUXAR

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1. Bharat Singh S/O Late Jagar Nath Singh
 2. Krishna Kumar @ Krishna Kumar Singh
 3. Kanhaiya Kumar @ Kanahaiya Kumar Singh both S/o Lakchman Singh,
- All are Resident of Nimej Tola, Dumraon, P.S. + Distt.- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Deo Singh

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 13-04-2016

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dumraon P.S. Case No. 297 of 2015 registered under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

The allegation of informant Raj Kumari Devi is that on 05.09.2015 four persons including the petitioners were doing the work of piling at her land then her husband Suresh Singh made protest on which they started to abuse. Laxman Singh gave iron rod blow at the stomach and thigh of the husband of the informant. When her brother and son rushed to save then petitioners gave garasa and spade blow. While the information was given at 05.09.2015 at the Police Station but

at that time, case was not lodged assuming that the injuries are simple but later on, it has come in the knowledge that injuries are grievous in nature.

Learned counsel appearing on behalf of the petitioners submits that in fact, due to land dispute, occurrence took place and both parties have sustained slight injuries and on the basis of the written report of Bimla Devi, wife of co-accused Laxman Singh, Dumraon P.S. Case No. 298 of 2015 under sections 341, 323 and 504/34 of the I.P.C. is instituted. Further submission is that it would itself appear that there is specific allegation to cause injury to the informant her brother and son in course to save the husband of informant and according to the F.I.R., the injury only found on the person of the husband of informant is grievous.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Buxar in connection with Dumraon P.S. Case No. 297 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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