

Arising Out of PS.Case No. -257 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

.... Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Smt. Madhuri Lata

2 18-08-2016

Heard learned counsel for the petitioners. No

body appears on behalf of the State.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 323, 324, 307 and other allied sections of the Indian Penal Code.

The informant Binod Kumar Singh alleged that Jagdish Sah has encroached his land. A panchaiti was held. Measurement was done and Jagdish Sah had agreed to return the encroached land but on 18.05.2014 Jagdish Sah, Krishna Sah and Akhilesh Sah having armed with lathi, Farsa and Nalkatti came there and on the order of Akhilesh Sah, Jagdish Sah assaulted the informant with Pharsa on his head. Thereafter, Vijay Sah, Santosh Sah and Geeta Devi are also alleged to have come at the place of occurrence and also assaulted the informant with lathi.

Learned counsel for the petitioners submits that on account of land dispute the present case has been lodged. Informant Binod Kumar Singh got only one incised wound on his head which is simple in nature. The informant did not get any other injury. Similarly, Prabhunath Singh also got one abrasion $\frac{1}{2}$ " x $\frac{1}{2}$ " below eye. There is counter version of the occurrence also.

Considering the fact that although the petitioners are alleged to have assaulted the informant and others but no corresponding injury was found either on the person of the informant or on any other person, the petitioners above named, in the event of arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkaulia (Banjariya) P.S. Case no. 257 of 2014, T.R. No. 2069 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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