

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25306 of 2016

Arising Out of PS.Case No. -249 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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1. SURESH DAS, Son of Late Boran Das
2. Deepak Das @ Deepak Kumar Das
3. Ranjan Kumar Das @ Ranjan Das
4. Rajeev Kumar Das @ Rajeev Das

All are sons of Suresh Das resident of Dariyapur, P.S. - Muffasil, Distt. - Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate.

For the Opposite Party/s : Mr. Jitendra Kumar Roy 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-08-2016

Heard both sides.

The petitioners, namely, Suresh Das, Deepak Das @ Deepak Kumar Das, Ranjan Kumar Das @ Ranjan Das and Rajeev Kumar Das @ Rajeev Das, apprehend their arrest in Muffasil P.S. Case No. 249/2015 registered under Section 307 and other sections of the Indian Penal Code.

Informant Naresh Das alleged that Suresh Das, Runa Devi, Dipak Kumar Das, Rajeev Kumar Das, Rajan Kumar Das and Kavita Devi began to abuse the informant and when the informant protested, on the order of Suresh Das and Runa Devi, Dipak, Rajeev and Rajan assaulted the informant and his sons, wife and others. They also snatched different articles.

It is submitted by the learned counsel for the petitioners that petitioner no. 1 Suresh Das is the own brother of the informant Naresh Das. There is a land dispute between the parties. There is no specific allegation of assault against any of the petitioners. The petitioners are close relatives of the informant and on account of the dispute with regard to partition, there is case and counter-case. Runa Devi, wife of Suresh Das (petitioner no. 1), filed Complaint Case No. 1130(C)/15. The occurrence took place on 22.11.2015 but the FIR was lodged on 26.11.2015, i.e., after four days of the occurrence. The injuries are simple in nature.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail 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 Chief Judicial Magistrate, Munger in Muffasil P.S. Case No. 249/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Dilip/-

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