

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6109 of 2016

Arising Out of PS.Case No. -225 Year- 2015 Thana -BARGANIA District- SITAMARHI

- =====
1. Sujeet Kumar Sah @ Ajay Sah @ Sujeet Sah, S/o Dhruw Sah
 2. Rajesh Sah, S/o Jadolal Sah
 3. Jadolal Sah, S/o Late Udichandra Sah
 4. Dharmendra Sah, S/o Raghunath Sah
- All are resident of village Jamua P.S. Baiganiya District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 08-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 504, 506 and 427 of the Indian Penal Code.

The prosecution case is that on 27.11.2015 at 7.00 A.M. the accused persons came variously armed and started demolishing the stairs of the house of the brother of the informant. On protest being made petitioner no. 1 Sujeet Kumar Sah assaulted the informant with Farsa causing injury below his eyes. When one Amitabh Sah came to rescue then petitioner no.

2 Rajesh Sah assaulted with Farsa causing injury on his head. Pramod Sah was assaulted by petitioner no. 4 Dharmendra Sah and petitioner no. 3 Jadolal Sah assaulted Awadh Lal Sah with bamboo stick.

It is submitted by learned counsel for the petitioners that for the occurrence of 27.11.2015 the FIR was registered on 01.12.2015 whereas the petitioners' side lodged Bairgania P.S. Case No. 224 of 2015 on 01.12.2015 which was registered at 11.00 P.M. whereas the present FIR was registered at 11.05 A.M. subsequent to the registration of the FIR lodged by petitioners' side. The informant has received two injuries, one lacerated wound below right eye and other scratch on right side of the nose but the opinion with regard to nature of injury has been kept reserved. The injuries of the other injured have been found simple in nature. It is further submitted that petitioner no. 4 is a disabled person. The other persons of the petitioners' side have also received injury. Moreover, the accusation has been levelled in the background of land dispute.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the

event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 225 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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