

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28077 of 2016**

Arising Out of PS.Case No. -24 Year- 2016 Thana -SURSAND District- SITAMARHI

1. Rakesh Das son of Buddhu Das resident of Village- Radhaur, P.S  
Sursand District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Surendra Prasad Singh

For the Opposite Party/s : Smt. Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

04/ 20.09.2016 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 302,  
436 and other minor sections of the Indian Penal Code.

Altogether, ten persons including the petitioner are named  
in the first information report with accusation that they assaulted the  
deceased with fists and slaps and also by means of Balla as a result  
whereof informant's sons died in course of his treatment whereas  
informant sustained injury.

The occurrence appears to have taken place on account of  
land dispute. No specific overt-act has been attributed against the  
petitioner rather general allegation of assault has been levelled.  
However, there is allegation against the petitioner of setting fire on the  
house of the informant but submission on behalf of the petitioner is  
that the aforesaid fact was found untrue by the supervising authority

because at the time of supervision, it came to light that the prosecution party set their own house on fire.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the petitioner is in jail custody since 10.4.2016 and investigation against him has already been completed, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Sursand P.S. Case no. 24/2016.

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(Hemant Kumar Srivastava,J)

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