

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30763 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -BARHARIA District- SIWAN

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1. Ram Janam Ram Son of Late Doma Ram
 2. Umesh Ram Son of Ram Janam Ram
 3. Shailesh Ram Son of Ram Janam Ram
 4. Sanjay Ram Son of Ram Janam Ram
 5. Lalbabu Singh @ Lalbabu Son of Ramdhyan Singh All are Resident of village- Bhelapur, P.S.- G.B. Nagar, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 447, 323, 324, 354 and 307 of the Indian Penal Code Act.

The prosecution case is that the accused persons were planting mango tree on the land of the informant and on protest being made the accused persons attacked on the informant and when the informant ran away to his house then petitioner no. 2 (Umesh Ram) assaulted with farsa on the head of the informant

causing cut injury and when the brother of the informant Rajendra Ram came to rescue then he was assaulted by petitioner no.3 Shailesh Ram and when Manoj Ram came to rescue then Sanjay assaulted with dab on his head. Sanjay Ram made second assault as a result Manoj received cut injury on his palm. Lalbabu Singh (petitioner No. 5) has assaulted Santosh Ram causing injury on his nose. The accused persons also assaulted the wife of the informant Kanti Devi and other ladies namely Fulmati Devi, and Seema Devi.

It is submitted by learned counsel for the petitioners that in background of land dispute the accusation has been levelled. Injuries of all the injured have been found to be superficial simple in nature. There is counter version the occurrence also and seven persons received injuries from the petitioners' side. Though the injuries of petitioners' side have also been found simple in nature. A statement has made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the genesis of occurrence and nature of injury being received by the informant's side let the petitioners be released on anticipatory bail in event of arrest/surrender before the learned court below within a period of 12 weeks from today on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two

sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VI, Siwan, in connection with Barharia (G.B. Nagar) P.S. Case No. 268 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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