

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6023 of 2016**

Arising Out of PS.Case No. -235 Year- 2013 Thana -RIGA District- SITAMARHI

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1. HANSRAJ DAS, Son of Mahavir Das  
2. Jai Narayan Das, Son of Chobha Lal Das  
Both residents of Village- Riga, Tole Pipra, P.S.- Riga, District- Sitamarhi.  
..... Petitioners

Versus

1. The State of Bihar ..... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ashhar Mustafa  
For the Opposite Party/s : Mr. Parmanand Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4      05-04-2016                      Heard learned counsel for the petitioners and learned  
counsel representing the State.

The petitioners seek bail in connection with Riga P.S. Case No. 235 of 2013 registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

The allegation against the petitioners is that both assaulted with spade on the head of the informant causing injury.

Submission is of false implication and that there was no intention to commit murder as the petitioners have not repeated the blow, on the person of the informant lacerated wound on the right posterior skull and further one wound on middle finger were found. Though injury no. 1 has been noticed as grievous in nature but there is case and counter case and due to land dispute the

occurrence has taken place and as such the petitioners deserve sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 235 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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