

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26201 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BAUSI District- PURNIA

1. Narayan Das @ Narain Das
2. Bhagwan Das
3. Sahadev Das All sons of Rameshwar Das, R/o village- Sonapur, P.S.-
Baisi, District- Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. N.K. Agrawal, Sr. Advocate
For the Informant: Mr. Vikram Singh, Advocate
For the State : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 11-07-2016 Heard learned counsel for the petitioners, the informant
and the State.

Petitioners apprehend their arrest in a case registered for the
offences punishable under sections 341, 323, 307, 379 and 504/34
of the Indian Penal Code.

A supplementary affidavit has been filed on behalf of the
petitioners stating that one more case was also lodged against
them under section 379 and some other bailable sections of the
Indian Penal Code in which the police had found that no case was
made out against them under section 379 of the Indian Penal Code
but chargesheet was submitted under bailable sections of the
Indian Penal Code. It is also stated that in paragraph no. 3 of the

main application it was inadvertently stated that the petitioners have no criminal antecedents.

The petitioners are warned to be careful in future.

It is contended on behalf of the petitioners that there is a dispute with regard to certain land between the parties which has led to the present occurrence. However, so far the petitioner nos. 1 and 2 are concerned, though there is allegation upon them of assault but only simple injuries have been found. Whereas, so far the assault by petitioner no. 3 is concerned, it is alleged that he has assaulted upon the head causing grievous injury.

It is further contended that there is a case and counter case and so far the petitioner no. 3 is concerned, in the facts and circumstances of the case, learned counsel for the petitioner seeks leave to withdraw his application to enable him to surrender and seek regular bail.

Accordingly, this application stands dismissed as withdrawn as against petitioner no. 3(Sahadev Das) with the aforesaid liberty.

Having regard to the facts and circumstances of the case, let the abovenamed petitioner nos. 1 and 2, namely, . Narayan Das @ Narain Das and Bhagwan Das, be released on bail in the event of arrest/surrender before the court below within a period of

six weeks from today in Baisi Police Station Case No. 12 of 2016 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the C.J.M., Purnea, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

Further, if the petitioners, after their release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

(Dr. Ravi Ranjan, J)

SC/-

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