

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6440 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -RAJEPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. RAM CHANDRA SAH @ RAM CHANDRA son of Late Beni Sah
2. Ranjit Sah son of Ram Chandra Sah Both residents of Village -
Bheluwahan, Police Station - Rajepur, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-03-2016 Heard learned counsel, appearing on behalf of the

petitioners, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of
Rajepur P.S. Case No. 156/2015, disclosing offences under
sections 147, 148, 149, 341, 323, 324, 307, 379, 504/506 of the
Indian penal Code.

Learned counsel for the petitioners submits that the
injury reports prepared on the basis of medical examination
conducted on Ganesh Sah and Kamlesh Sah, the injured, falsify
the prosecution case. He contends that according to the case of the
prosecution, petitioner no.1 assaulted Ganesh Sah with iron rod,
whereas there is no injury report with respect to Ganesh Sah. As

regards injured Kamlesh Sah, it is alleged that petitioner no.2 had given a blow with Farsa on him, whereas it has come in the injury report that the injury caused on Kamlesh Sah is by hard and blunt substance. He submits that the land dispute between the parties is the reason for institution of the First Information Report as would be evident from the Fard Beyan itself.

I find substance in the submissions so advanced. This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Rajepur P.S. Case No. 156/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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