

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30885 of 2017

Arising Out of P.S.Case No. -107 Year- 2017 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Sakaldeep Paswan, son of Andhi Paswan,
2. Rajendra Paswan, son of Alakh Paswan,
3. Munna Paswan, son of Rajednra Paswan,
4. Ganga Paswan, son of Sakaldeep Paswan &
5. Champa Devi, wife of Sakaldeep Paswan,
All resident of village-Uttarnawan, P.S. Rahui, District-Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate

For the Opposite Party : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-07-2017 Heard.

2. The petitioners apprehend arrest in connection with Rahui P.S.Case No.107 of 2017 registered for an offence under Sections 147, 149, 341, 323, 307, 506 and 504/34 of the IPC.

3. The informant in his written report has alleged that there is land dispute with the accused for a passage and on 17th May, 2017 when he was sitting at his *Darwaja*, all the FIR named accused persons armed with deadly weapon, came and started abusing. The petitioner no.1 inflicted spade blow on his head causing bleeding injuries and when his wife and family members came for his rescue, they were also assaulted by the accused persons. They entered into his house and took away ornaments worth Rs.10,000/.



4. The learned counsel or the petitioners submits that there is bonafide land dispute between both the parties and both parties in occurrence of assault both parties sustained injuries which are simple in nature. There is case and counter case and both are resident of same.

5. The learned APP opposed the submission.

6. From the written report itself it appears that there is land dispute between the parties. The petitioner no.1 allegedly gave blow on his head by spade which according to injury report is simple in nature. The allegation of assault against other petitioners is omnibus There is also counter case from the side of these petitioners.

7. In view of the aforesaid facts, let the above named five petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Rahui P.S.Case No.107 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-II, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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