

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23233 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -PALANWA District- EAST CHAMPARAN
(MOTIHARI)

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1. Ram Surat Ram.
 2. Deo Surat Ram.
 3. Bagar Ram
Son of Late Bhikhari Ram.
 4. Harendra Ram @ Harindra Ram, Son of Ram Surat Ram.
 5. Bhola Ram.
 6. Sangi Ram
Sons of Bagar Ram. All Resident of Village- Parsauna Tapsi, Police Station-
Palanwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-07-2017

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Palanwa P.S. Case No. 56 of 2016 dated 16.09.2016 instituted under Sections 341/323/324/307/379/504/506/34 of the Indian Penal Code.

3. The allegation against the petitioners and other unknown persons is of assault causing grievous injury on the informant and his family members.



4. Learned counsel for the petitioners submitted that they are agnates and also neighbors and because the house of the petitioners was damaged, for the purposes of repair work, they needed to go through the land of the informant and since it was not allowed, there was hot talk followed by skirmish but it was on the spur of the moment and not premeditated. Learned counsel submitted that even if something has been damaged of the informant, the petitioners are ready to compensate by paying Rs. 6,000/-.

5. Learned A.P.P. submitted that even if the petitioners had a genuine cause and if it was objected by the informant, they did not have a right to take law into their hands and commit the offence.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari (East Champaran) in Planwa P.S. Case No. 56 of 2016, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973 and payment of Rs. 6,000/- to the informant.



7. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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