

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32376 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -BELDAUR District- KHAGARIA

- =====
1. Ram Sakhi Devi, Wife of Dhanik Choudhary
 2. Mukesh Choudhary, Son of Dhanik Choudhary
 3. Lal Bahadur Choudhary @ Lal Bahadur Kumar, Son of Dhanik Choudhary.
- All resident of Village- Pansalwa, P.S. Beldour, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Beldour P.S. Case No.196 of 2016/G.R. No.2713 of 2016 registered under Sections 341, 323, 324, 307, 504, 506 and 379/34 of the Indian Penal Code.

The accusation is that seven persons, named in the F.I.R., including the petitioners surrounded the informant and her daughter and all caused injury at the head of the informant through Dabia. On hulla being raised by the daughter of the informant, when the son and son-in-law of the informant rushed to save the



informant, they also assaulted them. At that time, they also snatched Rs.600/- of the informant and damaged the government toilet constructed at her house.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of “Maar-Peet” took place in between the parties in which Dhanik Choudhary, the husband of the petitioner no.1 and father of the petitioner nos.2 and 3, sustained injury regarding which Beldour P.S. Case No.197 of 2016 for the offence under Sections 341, 323, 504 and 506/34 of the Indian Penal Code was instituted on the basis of the written report of Dhanik Choudhary against the family of the informant. Moreover, there is no specific allegation against the petitioners to cause injury to the informant, her son and son-in-law rather there is general allegation against all the accused persons to cause injury to them. Moreover, the injuries, as caused to the son and son-in-law of the informant, are simple in nature whereas out of the two injuries, as caused to the informant, one is simple and another, which is near her ear, was, later on, found grievous in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Khagaria, in connection with Beldour P.S. Case No.196 of 2016/G.R. No.2713 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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