

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49208 of 2017

Arising Out of PS.Case No. -183 Year- 2017 Thana -AJAMNAGAR District- KATI HAR

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Kalpana Biswas @ Kalpana Bishwas Son of Late Mahendra Biswas,
Resident of Village-Baghora, P.S. Azam Nagar, District-Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-10-2017 Heard both sides.

Petitioners apprehend their arrest in Azam Nagar P.S.

Case No.183 of 2017 under Sections 307, 379 and other Sections
of the Indian Penal Code.

Binod Biswas the informant alleged that while he
was constructing house, the petitioner and others objected. The
informant asserted that he was constructing house over his land.
On such, the petitioner and Shyam Sunder Biswas are alleged to
have assaulted Binod Biswas with lathi on his head.

Learned counsel for the petitioner submits that
Kalpana and Shyam Sunder Biswas both are alleged to have
assaulted Binod Biswas with lathi on head but on perusal of injury
report as annexed in Annexure-2 Binod Biswas got one lacerated



wound on head with 1” x ¼” and other injuries are pain and swelling but all the injuries are simple in nature. It is submitted that the learned court below granted bail to Shyam Sunder Biswas but allegation against him is same and similar.

Considering the facts aforesaid, it appears that there is land dispute between both sides and for which some scuffle took place and injuries caused are superficial in nature, petitioner is directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Katihar in connection with Azam Nagar P.S. Case No.183 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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