

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53498 of 2017

Arising Out of PS.Case No. -162 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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1. Yadunath Sah, son of late Umed Sah
2. Newalati Devi, wife of Yadunath Sah
3. Ravi Shankar Sah, son of Yadunath Sah, all residents of village- Gausia
Dumaria, P.S.- Manjhagarh, District-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER**

2 09-11-2017 Heard learned counsel for the petitioners. No one
appears on behalf of the State.

Petitioners are apprehending arrest in connection
with Manjhagarh P.S. Case No. 162 of 2017 for an offence under
sections 341, 323, 504, 370 and 34 of the Indian Penal Code and
3/4 of Prevention of Daain Act.

Counsel for the petitioners submits that petitioners
and informant are Pattidar and there is land dispute as evident
from the order of the court below.

Counsel for the petitioner submits that from perusal
of the injury report contained in Annexure-2 it would be evident
that there was no external injury. He submits that in the case in
order to make out a case under Daain Act, allegations have been



levelled against the petitioners, in fact, from perusal of allegation on face value, if at all accepted would be under section 323 and allegations with regard to other offence of the Indian Penal Code are not make out.

Referring to the statement made in para-3, he submits that petitioners are the man of clean antecedent.

Considering the fact that the petitioners and informant are Pattidar, there is land dispute and nature of injury is simple and there is no external injury as per injury report contained in Annexure-2, let the petitioners, named above, be released on bail in the event of arrest or surrender before the 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 Chief Judicial Magistrate, Gopalganj, in connection with Manjagarh P.S. Case No. 162 of 2017 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

Ravi/-

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