

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55135 of 2017

Arising Out of PS.Case No. -284 Year- 2017 Thana -BANKA District- BANKA

- =====
1. Lalan Paswan, son of Kedar Paswan.
 2. Mithun Paswan, son of Kedar Paswan, Both are residents of village - Barhouna, P.S. Barahat, District - Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-11-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Banka (Barahat) P.S. Case No. 284 of 2017, registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The accusation is that, on 25.05.2017, when the informant reached at his filed then saw that five persons named in the F.I.R. including the petitioner engaged in digging the soil from his land. When the informant made protest then Rupesh Paswan caused injury at his forehead through spade whereas others also caused injury through lathi and danda. The cause of occurrence is due to land dispute.



Learned counsel for the petitioners submits that due to land dispute occurrence took place, in which, father of the petitioners, Kedar Paswan, sustained injury, regarding which, Banka (Barhat) P.S. Case No. 283 of 2017 is also instituted on the basis of written report of Kedar Paswan, father of the petitioners. Moreover, the only specific allegation is against co-accused, Rupesh Paswan, to cause injury at the forehead of the informant through spade.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 284 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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