

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37851 of 2017

Arising Out of PS.Case No. -194 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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Sharwan Mahto Son of Ram Khelawan Mahto, Resident of Village- Eksari,
P.S. and District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Sri Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Sheikhpura P.S. Case No. 194 of 2017 registered for the offence(s)
punishable under section(s) 341, 323, 379, 385, 354, 504/34 of the
Indian Penal Code.

The informant has alleged that on the day of occurrence
when he along with his family members were uprooting onion in their
field, this petitioner and other co-accused came and demanded Rangari
to the tune of Rs. 50,000/-. The informant raised protest whereupon the
accused persons abused and assaulted him.

It has been submitted that the petitioner and the informant
are resident of same village and some dispute had arisen between them
on account of land dispute. A counter case has been filed from the side



of this petitioner, vide Sheikhpura P.S. Case No. 195 of 2017. The allegation of assault and demand has been made only to make an accused and harass the petitioner.

Learned Additional Public Prosecutor on the other hand opposed the submission.

On perusal of the F.I.R., I find that both the parties are resident of same locality and on the day of occurrence, scuffle took place between them for which a counter case has been lodged from the side of the petitioner also.

Considering the facts and circumstances, as stated above, this application is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 194 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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