

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.388 of 2017**

Arising Out of PS.Case No. -289 Year- 2016 Thana -SAMASTIPUR District- SAMASTIPUR

- =====
1. Suchitra Kumari @ Suchita, D/o late Ishwar Sah
  2. Mani Lal Sah @ Mani Sah
  3. Munga Lal Sah @ Moga Lal Sah
  4. Moti Lal Sah

Petitioner nos. 2 to 4 are sons of late Ishwar Sah

5. Mohit Sah @ Rajnish Kumar @ Mohit Kumar, S/o Moti Lal Sah

All r/v Pethiya Gachhi, Ward No. 24, P.S. Samastipur Town, Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      13-01-2017                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307, 379, 427 and 504 of the Indian Penal Code in connection with Samastipur P.S. Case No. 289/2016.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties and there is injury on both sides.

It is submitted that all trouble started due to land dispute and so far as petitioners are concerned, there is no specific allegation of assault against the petitioners. There is general



allegation. Allegation of assault is against co-accused Chunny & Funny. Chunny & Funny assaulted the informant and the injury on the person of the informant is found to be simple in nature, copy of which is annexed with the petition.

Heard learned Additional Public Prosecutor also.

In view of the aforesaid facts and the fact that there is case and counter case and nothing specific has been attributed against the petitioners and even the injuries found on the person of the informant are simple in nature, this petition is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Samastipur Town P.S. Case No. 289/2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J.)**

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