

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20104 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -BHAGWAN BAZAR District- SARAN

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1. Jag Mohan Sah, son of Late Dhenuki Sah,
2. Manit @ Munna, Son of Birendra Prasad,
3. Sanjiv @ Baguri, son of Late Nageshwar @ Jhagdu Sah, All are resident
of Mohalla- Gudari Bazar, Salapatganj, P.S.- Bhagwan Bazar, District-
Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 01-06-2017 Heard learned counsel for the petitioners and the

State.

The petitioners are apprehending their arrest in
connection with Bhagwan Bazar P.S. Case No. 25 of 2017 for the
offences punishable under sections 147, 341, 323, 324, 307, 504,
354B and 114 of the Indian Penal Code.

In paragraph 24 of the petition, there is statement that
there is land dispute between the parties and earlier a complaint
case bearing Complaint Case No. 2742 of 2016 has been lodged
on 15.09.2016.

In para 13 there is statement by the petitioners that



Title Suit is pending between the parties. There is case and counter case as appears from Annexure-2.

The statement made in para-9 reads as follows:-

“That as a matter of fact the present informant Chatti Lal Prasad along with Ganesh Prasad, Kanhaiya Prasad, Ratan Lal came at the darwaja and started abusing Gudia Devi (wife of Sanjay @ Tripurari Prasad) and started threatening to withdraw the case lodged earlier. When she refused to withdraw the case, they threw her on the road by catching her hair and started assaulting with brick and stone. Seeing this, her brother-in-law Mani Kumar, Jagmohan Lal and pattidar Birendra Prasad, Sanjeev Kumar, Vishwajeet Kumar came to save her on which the aforesaid people assaulted them with lathi, danda and rod and thus they all became injured. Golu Kumar, Ravi Kumar, Santosh Kumar @ Bhunda, Sunil Kumar @ Soni, Raushan Kumar also came armed with lathi, bricks and started assaulting them causing injury to Mani, Sanjeev Kumar, Jagmohan Lal, Birendra Prasad. Mani has received serious injury on his head. They also threw



bricks at his Darwaja and threatened to withdraw the case otherwise they will have to face bad consequence for which Gudia Devi lodged a case being Bhagwan Bazar P.S. Case No. 26 of 2017 dated 29.01.2017 u/s 147, 447, 341, 323, 337, 338, 504, 506 & 354 of the Indian Penal Code.”

Having regard to the background of the land dispute and pendency of civil suit as well as case and counter case and statement made in para-3 that the petitioners have clean antecedent, 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, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 25 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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