

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37949 of 2017

Arising Out of P.S.Case No. -122 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

- =====
1. Priya Kumari, Daughter of Bhirgunath Tiwary.
 2. Gautam Devi, Wife of Bhirgunath Tiwary.
 3. Reema Devi, Wife of Dablu Pandey.
 4. Bhirgunath Tiwary, Son of Late Ram Janak Tiwary.
 5. Shashi Kant Tiwary, Son of Bhirgunath Tiwary, All are Resident of Village- Dubey Batraha, Police Station- Fulwaria, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Javed Aslam, Advocate

For the Opposite Party : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-08-2017 Heard.

2. The petitioners apprehend arrest in connection with Fulwaria P.S.Case No.122 of 2017 registered for an offence under Sections 341, 323, 324, 447 and 504/34 of the IPC.

3. The informant has alleged that on 08.06.2017, when they were digging the foundation for erecting boundary-wall, these petitioners along with other co-accused came and assaulted him and his wife.

4. The learned counsel for the petitioners submits that the informant and petitioners are agnates and a land dispute is going on for partition of family property. The injuries caused to



the informant is simple in nature. He referred Annexure-3 to show that partition suit no.75 of 2014 is pending in the Court of Munsif, Gopalganj. There is also a counter case from the side of the petitioners.

5. Learned APP opposed the submissions.

6. Considering the nature of allegation and ongoing land dispute and the fact that the injuries are simple in nature, their anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or surrender within six weeks before the court below, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-XIII, Gopalganj in connection with Fulwaria P.S.Case No.122 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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