

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10825 of 2017

Arising Out of PS.Case No. -249 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Rajeshwar Giri Son of Bharat Giri
2. Sabita Giri Wife of Shri Rajeshwar Giri
3. Pradeep Giri Son of Shri Rajeshwar Giri, All are resident of Village-
Bishunpur Raghunath, Police Station-Chanpatia. District-West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party : Ms. Anita Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-03-2017 Heard both sides.

After some arguments, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of petitioner no. 3 Pradeep Giri.

Prayer is allowed.

Accordingly, prayer for anticipatory bail of petitioner no. 3 Pradeep Giri is dismissed as withdrawn.

The petitioner no. 1 Rajeshwar Giri and petitioner no. 2 Sabita Giri apprehend their arrest in Chanpatia P.S. Case No. 249 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant Ramita Kumari made allegation against Pradeep Giri, petitioner no. 3 that he assaulted Amar Giri and when she



went to save, Pradeep Giri assaulted her on her head with Pharsa. The petitioners Rajeshwar Giri and Sabita Giri are alleged to have assaulted the mother of the informant with fists and slaps.

Learned counsel for the petitioners submits that there is land dispute between the parties and on account of sowing seeds in the field some dispute arose.

Learned APP however opposed the prayer for anticipatory bail of the petitioners.

Having considered the facts that there is land dispute between the two sides and the petitioner no. 1 and 2 are alleged to have assaulted the mother of the informant with fists and slaps, the petitioner no. 1 Rajeshwar Giri and petitioner no. 2 Sabita Giri, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the Additional Chief Judicial Magistrate-V, Bettiah, District – West Champaran in Chanpatia P.S. Case No. 249 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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