

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5975 of 2017

Arising Out of PS.Case No. -29 Year- 2016 Thana -NTPC District- BHAGALPUR

- =====
1. Bal Mukund Das, S/o Late Gopal Das
 2. Dipu Kumar
 3. Anandi Kumar, Both sons of Bal Mukund Das
 4. Lakho Devi, W/o Bal Mukund Das, All Residents of Village- Alampur,
P.S.- Kahalgaon N.T.P.C., District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party : Mr. Satyendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Kahalgaon N.T.P.C. P.S. Case No. 29 of 2016, registered for the offences punishable under Sections 447, 341, 323, 307/34 of the Indian Penal Code.

Allegedly, the petitioners started fixing pillar on the land of the informant and did not allow the informant to plough the said land. Thereafter the petitioners assaulted the informant with khanti, rod and pistol causing serious injury to the informant and also assaulted to Krishna Kumar Suman, Prabhunandan Saurabh and Ramawati Devi, who were sustained injury and caused threats



to entire family members.

Submission is of false implication and that all the injuries found on the person of the informant are simple in nature vide Annexure-2, the injuries have been caused by hard and blunt substance. The pistol was not used in the occurrence, there was no intervening circumstance, there is no specific allegation against anyone and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that on vital part the injury was found.

In the facts and circumstances as stated above, considering the nature of injury is simple, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, District- Bhagalpur, in connection with Kahalgaon N.T.P.C. Case No. 29 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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