

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58897 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Vidyanand Sharma, son of Bisun Sharma,

2. Baleshwar Sharma, son of Bisun Sharma,

Both resident of Village- Laualagan Tulsipur Tola, P.S. Chausa,
District- Madhepura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Chousa P. S. Case No.65 of 2017 registered under Sections 147,
148, 149, 341, 323, 354, 379, 427, 504 and 506 of the Indian Penal
Code and 27 of the Arms Act.

It is submitted by the learned counsel for the petitioners
that though there was altercation at the alleged occurrence, the
attack is said to have been made by hands, fists and *lathi* which
was neither pre-meditated nor intended to cause any bodily harm.
He submitted that there is admitted land dispute between the



parties and the alleged occurrence took place on account of illegal construction being made on the land belonging to the petitioners. He contended that out of 12 accused persons named in the FIR, except the petitioners, ten have already been granted pre-arrest bail by a co-ordinate Bench of this Court, vide order dated 20.07.2017, passed in Cr. Misc. No. 31640 of 2017.

The submissions made by the learned counsel for the petitioners are not disputed by the learned Additional Public Prosecutor for the State.

Considering the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Uda-Kishunganj, District- Madhepura in Chousa P. S. Case No. 65 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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