

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42386 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -SHANKARPUR District- MADHEPURA

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1. Basudeo Rishideo,
2. Madan Rishideo, Both are son of Late Bineshwar Rishideo, Resident of
Village- Bariyahi, P.S.- Shankarpur, District- Madhepura
..... Petitioners

Versus

1. The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party : Mr. Satyendra Prasad, APP 133

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 09-11-2017 Heard both sides.

The petitioners apprehend their arrest in Shankarpur P.S. Case No. 78 of 2017 registered under Section 307 and other sections of the Indian Penal Code.

The informant, Buchhan Rishideo, alleged that on 14.06.2017 a Panchayati was going on to resolve the land dispute, but, Ankal Rishideo, Basudeo Rishideo, petitioner no. 1, Gajendra Rishideo and Madan Rishideo, petitioner no. 2, caught the informant and inflicted dagger blow on his chest. The accused persons also assaulted him with fists and snatched rupees five hundred from his pocket.

The learned counsel for the petitioners submits that the petitioners are not the assailants of the informant, Buchhan Rishideo. The informant named four persons, namely, Ankal Rishideo, Gajendra Rishideo and petitioners Badudeo Rishideo and Madan Rishideo.

During the course of investigation almost all the witnesses, who were present in Panchayat, disclosed that when the informant did not obey the order of Panches, Ankal Rishideo inflicted dagger blow on the chest of the informant, Buchhan Rishideo. Ankal Rishideo happens to be own brother of the



informant, Buchhan Rishideo. The doctor found only one stab injury on the chest of the informant and the injury is found to be simple in nature. No specific allegation is made against the petitioners, Basudeo Rishideo and Madan Rishideo.

The learned Additional Public Prosecutor opposed the prayer for anticipatory bail.

It appears that the informant made general and omnibus allegation against the four persons that they all stabbed him, but, during the course of the investigation the Panches disclosed that it was Ankal Rishideo, who inflicted dagger blow on the chest of his brother, Buchhan Rishideo, the informant, no, further, injury was found on the person of Buchhan Rishideo, the informant. only one injury was found on the person of Buchhan Rishideo and the doctor opined that the sole injury is simple in nature.

Considering the facts, aforesaid, the petitioners, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Shankarpur P.S. Case No. 78 of 2017** to the satisfaction of the **Additional Chief Judicial Magistrate, I, Madhepura**, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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