

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45054 of 2017

Arising Out of PS. Case No.-167 Year-2017 Thana- MEERGANJ District- Gopalganj

1. Shivnath Ram, Son of Late Bhavsagar Ram,
2. Shiv Mangal Ram, Son of Late Bhavsagar Ram,
3. Jitendra Ram, Son of Baharan Ram,
4. Jaleshwar Ram, Son of Bhagrasan Ram.
5. Binda Devi, Wife of Shivnath Ram.
6. Sursatiya Devi, Wife of Shiv Mangal Ram, All are Resident of Village- Sihorawa, Police Station- Mirganj, District- Gopalganj.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mr. Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-10-2017

Heard learned counsels for the petitioner and State.

The petitioner are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

The prosecution case is that on 21.06.2017 at 6 AM, the informant was putting the Bakhar (temporary grain storage) on his land, in the meantime, petitioner no.1, Shivnath Ram and co-accused Munna Ram and Anil Ram started hurling abuses and forbade the informant to put the Bakhar. Thereafter, other accused persons including the petitioners came armed with lathi, danda and farsa and started assaulting the informant. Co-accused Rakesh Ram assaulted with sword on the head of the



informant causing cut injury and when the wife of the informant Radhika Devi, aunt Minawati Devi, sister, Ranjja Devi and Samma Devi and brother, Din Dayal Ray came to rescue the informant then they were also assaulted. It is alleged that Rakesh Ram and Munna Ram assaulted with iron rod and sword on the head of the mother of the informant causing cut injury and thereafter co-accused Din Dayal Ram snatched gold chain and cash of Rs. 10,000/-.

It is submitted by learned counsel for the petitioners that in background of land dispute, the accusation has been levelled and co-accused Rakesh Ram, against whom specific accusation of assault by sword has been levelled, has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 44391 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation being omnibus and general against the petitioners, let above named petitioners be released on anticipatory bail, in the event of arrest/surrender before learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-XVI, Gopalganj, in connection with Mirganj P.S.



Case No. 167 of 2017, subject to the condition as laid down
under Section 438 (2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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