

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23771 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

- =====
1. Ranjeet Rai @ Ranjeet Kumar Rai, son of Asharfi Rai
 2. Asharfi Rai son of Muneshwar Rai
 3. Sunil Rai son of Bindeshwar Rai All residents of Village - Bejhadih,
Police Station - Samastipur Muffasil, District - Samastipur.

.... Petitioners

Versus

1. The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.M.P. Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 05-09-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Samastipur Muffasil P.S. Case no. 108 of 2017, registered under
Sections 341, 323, 324, 354(B), 379, 504 & 506/34 of the Indian Penal
Code.

The accusation is that petitioners came near the informant
Mishree Rai and started to abuse him. The petitioner Nos. 2 and 3
started to cause assault him through lathi & stick, whereas petitioner
No.1 caused injury through fist and slaps. After the occurrence,
petitioner No.2 caught hold the hand of informant and started to abuse
him. At that time, petitioner No.1 brought Garasa from his house and
caused injury at left side of his chest and left side of his head, when



Shiv Joyti Dev, wife of the informant, and his daughter-in-law rushed to save him they they were also assaulted by the accused persons. At that time petitioner No.2 also snatched Rs. 1000/- from the informant.

Learned counsel for the petitioners submits that, in fact, petitioners are nephew and cousin nephew of the informant and occurrence took place due to land dispute in which wife of petitioner No.2 also sustained injury regarding which Complaint Case No. 355 of 2017 was instituted in the Court of ACJM, Samastipur. Further submission is that the injury, which is said to be caused to the informant, is simple in nature and the said injuries are not detailed in the case diary, which is upto para 51. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-V, Samastipur in connection with Samastipur Muffasil P.S. Case No. 108 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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