

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34216 of 2018**

Arising Out of PS.Case No. -313 Year- 2016 Thana -GOVINDGANJ District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Surendra Prasad, S/o Late Dwarika Prasad,  
2. Sabita Devi @ Puspa Devi W/o Nagendra Prasad,  
3. Asha Devi W/o Surendra Prasad,  
4. Jiwani Kuwar W/o Late Dwarika Prasad, All R/o Vill.- Areraj, Ward No.  
1, P.S.- Areraj, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi

=====

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

ORAL ORDER

2 29-06-2018

Heard both sides.

The petitioners apprehend their arrest in Govindganj(Areraj) P.S. Case No.313 of 2016 registered under Sections 341, 323, 307, 354(B) and 34 of the Indian Penal Code.

The informant named the petitioners and other accused persons and alleged that accused persons wanted to take possession of the land and when the informant objected, the accused persons started assaulting. It is further alleged that when Sunita Devi, sister of the informant came to save him, Nagendra Prasad, who is not a petitioner here, assaulted his sister with iron rod on her head and Surendra Prasad, petitioner No.1 assaulted her with katta and torn her cloths.



The learned counsel for the petitioners submits that there is a counter version in Govindganj(Areraj) P.S. Case No.315 of 2016. The police after investigation submitted chargesheet under bailable Sections of the I.P.C. No specific allegation of assault is made against the petitioners. The injuries found on the person of the injured are simple in nature. Sunita Devi got only one injury that is attributed to Nagendra Prasad.

Considering the facts aforesaid that no specific allegation of assault is made against the petitioners and there is a case and counter case on account of land dispute, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Govindganj(Areraj) P.S. Case No.313 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

