

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59825 of 2018

Arising Out of PS.Case No. -44 Year- 2018 Thana -TARIYANI CHAPRA PS District- SHEOHAR

- =====
1. Sunil Ray, S/o Late Ram Kalewar Ray,
 2. Rameshwar Ray @ Ram Ishwar Ray, S/o Late Ramkalewar Ray,
 3. Rupesh Kumar S/o Ram Ishwar Ray @ Rameshwar Ray, All are R/o Vill.- Belahiya, P.S.- Tariyani Chhapra, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 28-09-2018

Heard learned counsel for the petitioners,

learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354A, 307 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Dinesh Rai dated 05.06.2018 submitted to the Station House Officer, Tariyani Chhapra P.S., is to the effect that there is a 10 feet pathway in front of the house of the informant on which petitioners' side put bamboo and on protest being made by the informant they assaulted the informant, his wife and son.

It is submitted by learned counsel for the petitioners that the accusation of assault is omnibus and general.



There is a counter version of the occurrence being Tariyani Chhapra P.S. Case No. 45 of 2018 registered with accusation under Sections 341, 323, 448 and 504/34 of the Indian Penal Code. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the informant submits that the petitioners are named in the FIR and the injury has been caused. However, he has not denied that the land dispute and counter version of the occurrence.

Considering the accusation being levelled in the background of land dispute and injury has been found to be simple, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the 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 the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sheohar in connection with Tariyani Chhapra P.S. Case No. 44 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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