

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65449 of 2018

Arising Out of PS. Case No.-230 Year-2017 Thana- ITARHI District- Buxar

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1. Banarasi Ram, S/o Late Kasi Ram, Resident of Village-Mayerva,P.S. Dhansoi,Distt.-Buxar
 2. Guddu Ram, S/o Ghurhu Ram, Resident of Village-Baladevan,P.S. Itarhi,Distt.-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 504, 506, 354B, 325 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Awadhesh Matho submitted to the Station House Officer of Itarhi Police Station is to the effect that on 10.11.2017 at 9.30 A.M. the wife of the informant had gone to visit the field and the informant was following her, in the meantime, he saw that ten accused persons including the petitioners were cutting the paddy crop of the informant. It is alleged that on protest being



made, petitioner no. 1 Banarasi Ram resorted to fire and others assaulted with lathi. It is alleged that petitioner no. 2 dragged the wife of the informant, rendering her semi naked.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. It is further submitted that there is a counter version of the occurrence also being Buxar SC/ST Case No. 24 of 2017 and no firearm injury was caused to anyone. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioners.

Considering the genesis of the occurrence and no grievous injury has been found caused to anyone, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, 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 Chief Judicial Magistrate, Buxar in connection with Itarhi P.S. Case No. 230 of



2017, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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