

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.365 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -JANDAHA District- VAISHALI (HAJIPUR)

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1. Balindra Das Son of Parikshan Das Resident of village- Chand Sarai,
P.S.- Jandaha, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-01-2018

Heard both sides.

The petitioner apprehends his arrest in Jandaha P.S.
case No. 126 of 2017 for the offences punishable under Section
307 and other Sections of the Indian Penal Code.

The informant alleged that petitioner and others
began to construct house on the land of informant. A Panchayati
was held and the informant removed his house falling upon the
land of the petitioner but again the petitioner was encroaching
upon the land of the informant and when the wife and mother of
informant objected, the petitioner assaulted the mother of
informant with iron rod on her head.

The learned counsel for the petitioner submits that
there is counter version being Jandaha P.S. case No. 127 of 2017.



Wife of the petitioner is informant of the aforesaid case. The petitioner also sustained injuries. The case has been compromised. The injury found on the head of Bhukhali Devi, mother of informant, is simple in nature. The dimension of the injury is $\frac{1}{4}$ " x $\frac{1}{4}$ " x $\frac{1}{6}$ ".

Considering the facts that there is a case and counter case and on account of land dispute both the sides entered into scuffle in which both the sides got simple injuries, the petitioner above named in the event of his 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 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in connection with Jandaha P.S. case No. 126 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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