

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61928 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- DHURAIYA District- Banka

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1. Ashok Das
 2. Pawan Das, Both sons of Nakil Das
 3. Birendra Das, Son of Wakil Das
 4. Chhokil Das, Son of Late Abeer Das
 5. Sunita Devi, Wife of Ashok Das
 6. Munni Devi @ Meena Devi, Wife of Nakil Das
 7. Nutan Devi, Wife of Ashish Das, All resident of Village-
Chalana, P.S. Dhoraiya, District Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2018 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 504 and 506 of the IPC.

The prosecution case, as per the written report of Santlal Das, submitted to the Station House Officer, Dhoraiya Police Station, is to the effect that on 18.03.2018, all the seven accused including the petitioners who are the agnates of the informant came and started demolishing the wall of the informant. On protest being made, petitioner no.1, Ashok Das assaulted with khanti on the head of the informant which hit on the left eye, causing bleeding injury. When the brother, Bhujangi Das, sister-



in-law, Punam Devi and his wife, Sunita Devi came to rescue, they were also assaulted by petitioner no.2, Pawan Das. It is further alleged that the petitioner no.2, Pawan Das torn the blouse of the sister-in-law of the informant.

It is submitted by the learned counsel for the petitioners that in the background of land dispute, accusation has been levelled against the petitioners. The injuries caused to the informant side, found to be simple in nature. It is further submitted that there is a counter version of occurrence also, being Dhoraiya P.S. Case No. 50 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by the learned APP for the State that there is a specific accusation against the petitioner nos. 1 and 2.

Considering the nature of injuries caused not being corroborated with medical report and accusation being levelled in the background of land dispute coupled with the statement made in paragraph no.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/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 like amount each to the satisfaction of learned **A.C.J.M.-IV, Banka** in connection with **Dhoraiya P.S. Case No. 49 of 2018** subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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