

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6541 of 2018

Arising Out of PS.Case No. -313 Year- 2017 Thana -SIMRI District- BUXAR

- =====
1. Gudari Bhar
 2. Vinod Bhar @ Vinod Rai Bhar
 3. Suchit Bhar All Sons of Late Inderdeo Bhar @ Late Inderdeo Raj Bhar.
 4. Mantu Bhar @ Mantu Kumar Raj Bhar, S/o Suchit Bhar.
 5. Shivjee Bhar @ Shivjee Raj Bhar S/o Late Ram Bhavan Bhar Both R/o Village Pakadi, P.S.-Simri, District-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 02-02-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioner are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354 and 504 of the Indian Penal Code.

The prosecution case as per the written report of Diwana Chaudhary dated 13.11.2017 submitted to the Station House Officer of Simri Police Station is to the effect that on 13.11.2017 at 5.00 A.M. the informant was irrigating his field when co-villager Gudari Bhar, petitioner no. 1 came and started



abusing the informant. On protest being made, he assaulted the informant. Gudari Bhar called Binod Bhar, petitioner no. 2, Suchit Bhar, petitioner no. 3, Mantu Bhar, petitioner no. 4 and Shivjee Bhar, petitioner no. 5, who came armed with lathi, danda and iron rod and assaulted the informant. On alarm being raised, Singhashan Chaudhary, the father of the informant, Sonamani Devi, sister-in-law of the informant came to rescue, they were also assaulted by them, and they tore the cloth of the sister-in-law of the informant. Binod Bhar, petitioner no. 2 assaulted on the head of the informant with iron rod causing grievous injury.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The injuries have been found superficial simple in nature. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent. Though, petitioner no. 2 Binod Bhar has caused injury on the person of the informant, but the injury appears to be highly superficial skin deep in nature.

Considering the nature of accusation in the background of land dispute, the injury has been found superficial simple in nature and a statement has been 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 Additional Chief Judicial Magistrate-IV, Buxar in connection with Simri P.S. Case No. 313 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

