

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39926 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -HISUA District- NAWADA

=====

1. Shiv Balak Singh
2. Karu Singh
3. Surendra Singh
4. Ravindra Singh, All are Sons of Late Hari Singh, Resident of Village -
Ariyan, Police Station - Hisua, District - Nawadah.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Smt. Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2018 Heard both sides.

The petitioners apprehend their arrest in Hisua P.S.
Case No.71/2018, registered under Sections 307 and other allied
Sections of the Indian Penal Code and 3/4 of Prevention of
Witchcraft Act.

The informant alleged that while his mother was sitting
at her Darwaja, the accused persons including four petitioners
having armed with different weapons came and began to abuse his
mother calling her witch. When the informant objected, Ravindra
Singh, the petitioner no.4, on the order of Shiv Balak Singh, the
petitioner no.1 assaulted the informant with Garasha on his head.
Surendra Singh, the petitioner no.3 and Ravindra Singh, the



petitioner no.4 also assaulted the brother of the informant namely Manoj Singh with Garasha on his right side of waist and right shoulder. Shiv Balak Singh, the petitioner no.1 and Karu Singh, the petitioner no.2 are alleged to have taken different articles.

Learned counsel for the petitioners submits that there is a counter version being Hisua P.S. Case No.70 of 2018, which was lodged by Ravindra Singh, the petitioner no.4 and alleged that while the informant and others were constructed cow shed, the informant and his family members came and assaulted the informant and his brothers. It is further submitted that from perusal of the F.I.R. itself it would appear that there is a land dispute between the two sides. The informant claimed the land for egress and ingress but the petitioners claimed that the land is their own. From perusal of Annexure-3, it would appear that the informant Sanoj Singh and his brother Manoj Singh got simple injury. The injury of Manoj Singh filed during course of argument. The petitioners have also got injuries.

Having considered the facts that there is a case and counter case and there appears that on account of land dispute both sides entered into mutual assault with each other but the injuries found on the person of the informant Sanoj Singh and his brother Manoj Singh are simple in nature, the petitioners above named, in



the event of their 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 bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada, in connection with Hisua P.S. Case No.71 of 2018 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Amit/-

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

