

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58635 of 2018**

Arising Out of PS.Case No. -36 Year- 2018 Thana -CHACKMENSI District- SAMASTIPUR

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1. Ram Pukar Sahani, S/o Late Batahu Sahani,  
2. Sajan Sahani, S/o Ram Pukar Sahani,  
3. Jahari Devi, W/o Ram Pukar Sahani, All are R/v- Gangaparan, P.S.-  
Chakmahesi, Dist.- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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with

**Criminal Miscellaneous No.60928 of 2018**

Arising Out of PS.Case No. -36 Year- 2018 Thana -CHACKMENSI District- SAMASTIPUR

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1. Afjan Miya @ Md. Afzal, Son of Late Nasruddin Miya, Resident of  
Village- Ganga Paran (Kalyanpur), P.S.- Chak Mehshi, District-  
Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

(In Cr.Misc. No.58635 of 2018)

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar

(In Cr.Misc. No.60928 of 2018)

For the Petitioner/s : Mr. Shailendra Kumar Tiwary

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

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

**ORAL ORDER**

3      01-11-2018                      Heard learned counsel for the petitioners, informant  
and the learned A.P.P. for the State.

The petitioners seek bail in Chakmahesi P.S. Case No.  
36/2018, instituted for the offences under Sections 147, 148, 149,  
302, 307, 323, 325, 341, 447 and 504 of the Indian Penal Code.

It is alleged in the written report that due to land



dispute, on the date of occurrence these petitioners along with 14 other named accused persons assaulted the informant and her family members with *lathi*, *danda*, bricks etc. causing injury to the informant, her husband, mother-in-law and daughter of informant. Daughter of informant later on succumbed to injuries.

Post-mortem report of daughter of informant is available in case diary, wherein doctor has found five external injuries, which are bruise over left upper eyelid and swelling over right occipital region and over left forearm etc.

Learned counsel for the petitioners has submitted that there is no allegation of specific overt act against these petitioners in the written report. Petitioners are in custody since 01.05.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Chakmahesi P.S. Case No. 36/2018, subject to the conditions that both the bailors shall be the close relative of the petitioners.

**(Sanjay Priya, J.)**

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