

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14915 of 2018

Arising Out of PS.Case No. -230 Year- 2017 Thana -ITARHI District- BUXAR

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1. Deep Chand Ram @ Veep Chand Ram, Son of Late Shambhal Ram,
2. Kushum Devi, Wife of Ghurhu Ram,
3. Sita Devi, Wife of Jaghari Ram,
4. Somariya Devi, Wife of Deep Chand Ram,
5. Jaggu Ram, Son of Deep Chand Ram,
6. Ram Payare Ram, Son of Jagdhari Ram,
7. Ram Ashare Ram, Son of Jagdhari Ram,
8. Raju Ram @ Raju Kumar, Son of Ghuru Ram, All resident of Village-Baladeva, P.S.- Itarhi, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 18-05-2018

Heard both sides.

The petitioners apprehend their arrest in Itarhi P.S. case No. 230 of 2017 under Section 147, 148, 341, 323, 504, 506, 354B and 325 of the Indian Penal Code.

The informant Avadhesh Mahto alleged that his wife was going to see her field. The informant also followed her. The informant saw Deep Chandra Ram, Ramasharya Ram, Ram Pyare Ram, Guddu Ram, Raju Ram, Jaggu Ram, Sumariya Devi, Kusum Devi, Sita Devi and Banarasi Ram and others harvesting his paddy crops. When the informant objected Banarasi Ram and Guddu Ram exhorted. The accused persons assaulted the informant and his family members.

The learned counsel for the petitioners submits that there is counter version being SC ST P.S. Case No. 24 of 2017



registered under Section 307 and other Sections of IPC. The lands belonged to the petitioners and they were trying to dispossess the petitioners from the land and that is why some mutual scuffle took place between the two sides. No fire arm injury was sustained by any person. The allegation of firing is ornamental. The injuries found on the persons of injured are simple in nature although opinion with regard to some injuries are kept reserve but the I.O. has not collected the final injury report till 16.12.2017 and, therefore, the injuries shall be deemed to be simple in nature.

Considering the facts aforesaid and the nature of allegation made against the petitioners, 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 are 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 Chief Judicial Magistrate, Buxar in connection with Itarhi P.S. case No. 230 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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