

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49814 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -TAJPUR District- SAMASTIPUR

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1. Sanjeev Kumar Jha, S/o Vijay Kumar Jha,
2. Ganesh Jha @ Ganesh Kumar Jha, S/o Vijay Kumar Jha, Both Resident
of Village- Morwa Mohanpur, P.S.- Tajpur, Distt- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Tajpur P.S.Case no.78 of 2018 , registered for offences punishable under Sections 323, 324, 307, 448, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioners is of assault by *lathi* on the informant and there is allegation of assault by *Farsa* on Vijay Kumar.

Submission of the learned counsel for the petitioners is that there is land dispute between the parties and the injuries are simple in nature except one injury about which the opinion was kept reserved, which is on palm.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 5th, Samastipur in connection with Tajpur Case No.78 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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