

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37933 of 2018

Arising Out of PS.Case No. -95 Year- 2018 Thana -ITADHI District- BUXAR

- =====
1. Sanjay Ram, S/o Mohan Ram,
 2. Mohan Ram S/o Late Sukeet Ram,
 3. Chhawangur Ram @ Raju Ram S/o Mohan Ram,
 4. Dhanmotiya Devi W/o Mohan Ram,
 5. Sheela Devi W/o Sanjay Ram,
 6. Bipin Kumar S/o Sanjay Ram, All are R/o Vill.- Bagahi, P.S.- Itarhi, Distt.- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Smt. Anita Kumari

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 05-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 337, 338, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Chandan Ram submitted to the Station House Officer, Itarhi P.S. is to the effect that on 24.04.2018 at 9.30 A.M. the six accused petitioners started constructing the house by encroaching upon a portion of the public street and when the informant forbade them they started abusing the informant. On alarm being raised, the parents of the informant as well as son came to rescue him then the



six accused petitioners assaulted the family members of the informant with lathi, danda and stones. It is further alleged that petitioner no. 1 Sanjay Ram assaulted the father of the informant with lathi, petitioner no. 2 Mohan Ram assaulted the mother of the informant with lathi and petitioner no. 3 Chhawangur Ram threw brick on the informant, as a result, he got cut injury on his head. Petitioners Sheela Devi and Dhanmotiya Devi assaulted with brick on the head of the son and nephew of the informant causing bleeding injury. Petitioner Sanjay Ram took out Rs.5,000/- from the pocket of the informant and petitioner Chhawangur Ram snatched gold chain from the mother of the informant.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. The injury has been found to be simple in nature caused by hard and blunt substance. There is a counter version of the occurrence also being Complaint Case No. 362 of 2018.

Learned APP, however, submits that the petitioners are named in the FIR with specific accusation.

Considering the omnibus and general accusation and no grievous injury has been caused to anyone coupled with fact that the accusations have been made against the petitioners in the background of the land dispute 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 Chief Judicial Magistrate, Buxar in connection with Itarhi P.S. Case No. 95 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

