

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25810 of 2018

Arising Out of PS.Case No. -171 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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1. Ram Shrestha Baitha, S/o Rikan Baitha,
2. Inarjeet Baitha @ Indrageet Kumar S/o Binod Baitha, Both R/o Vill.-
Mirjadpur, P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Sri Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 03-05-2018

Heard both sides.

The petitioners apprehend their arrest in Sahiyara P.S. case No. 171 of 2017 under Section 307 and other minor Sections of the Indian Penal Code.

The informant alleged that while his father was repairing his house Binod Baitha came and forbade from repairing the house. The father of informant asked to get the land measured but Binod Baitha assaulted the informant with spear. Thereafter, the petitioners are alleged to have assaulted the informant but it is submitted that no injury was caused on account of assault made by the petitioners. Binod Baitha is alleged to have assaulted twice with spear and only two injuries, one lacerated wound and another



bruise were found on the person of informant and both the injuries are simple in nature. On account of land dispute the occurrence took place.

Having considered the facts that, of course, the petitioners are alleged to have assaulted the informant with Khanti and iron rod on different parts of his body but no corresponding injury was found on the person of informant, 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, Sitamarhi in connection with Sahiyara P.S. case No. 171 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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