

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59794 of 2018

Arising Out of PS.Case No. -96 Year- 2018 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sagar Ram, S/o Late Khuba Ram
 2. Mahesh Ram, S/o Late Khuba Ram
 3. Sukai Ram, S/o Late Bhukha Ram
 4. Shankar Ram, S/o Late Bhukha Ram
 5. Bihari Ram, S/o Shankar Ram
 6. Santosh Ram, S/o Shankar Ram
 7. Sita Ram, S/o Late Sabha Ram
 8. Harendra Ram, S/o Late Briksha Ram
 9. Garib Ram, S/o Phirangi Ram. All are resident of Village- Pakadihar,
Paratiya Tola, P.S.- Sathi, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 28-09-2018

It is submitted by learned counsel for the petitioners that petitioner no. 1, Sagar Ram has been arrested and hence, his application has become infructuous and accordingly, it is disposed of.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioner nos. 2 to 9 are apprehending their arrest in a case registered for the offences punishable under



Sections 448, 341, 323, 308, 379 and 354/34 of the Indian Penal Code.

The prosecution case as per the written report of Janak Ram dated 05.06.2018 submitted to the Station House Officer, Sathi P.S. is to the effect that ten accused persons including the petitioners came and assaulted the informant and took out Rs.20,000/- and jewellery from the house of the informant. They also assaulted the daughter-in-law and snatched the nose pin of the wife 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 date of occurrence has not been mentioned in the First Information Report. The FIR was registered on 05.06.2018, but the same has reached to the Court of learned C.J.M. on 11.06.2018, which suggests that the FIR is antedated. The injury has been found to be simple in nature. The petitioner nos. 3 and 4 are own brothers of the informant. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation being levelled in



the background of land dispute and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner nos. 2 to 9 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, Bettiah, West Champaran in connection with Sathi P.S. Case No. 96 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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