

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13520 of 2019

Arising Out of PS. Case No.-3 Year-2016 Thana- SUIYA District- Banka *

1. BARKI MURMU, aged about 40 years, (F) W/o Budhan Hembram
Resident of Village- Baghela, P.S.- Suiya. Distt.- Banka
2. Sarita Hansda, aged about 26 years, (F) W/o Shobhana Hembram Resident
of Village- Baghela, P.S.- Suiya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-03-2019 Heard learned counsel for the parties.

Let the defect(s) as pointed out by the Stamp Reporter
be ignored for the present.

Petitioners seek bail in **Suiya P.S. Case No. 03 of 2016**
registered for the offence punishable under Sections 147, 148,
149, 307 and 504 of the Indian Penal Code and subsequently
Section 302 of the IPC has been added.

Informant has alleged that while he was sowing potato
in his land, FIR named accused came and said that this field
belongs to them and on protest being made, they abused and
assaulted the informant and his family members. Allegation against



petitioners who are ladies is that subsequently they also arrived at the place of occurrence and started brick batting and also assaulted by means of *lathi, Danda*.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to land dispute. Allegations are false and concocted which are general and omnibus in nature. There is no specific allegation against petitioners of causing any assault or injury on any persons. Petitioners have got no criminal antecedent and are in custody since 20.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-I, Banka/Successor court, Banka**, in connection with **Suiya P.S. Case No. 03 of 2016**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail



bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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