

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9131 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- GOH District- Aurangabad

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1. Suresh Das, Male, 45 years, Son of Mungeshwar Das
 2. Mohar Das, Male, 40 years, Son of Late Rameshwar Das
 3. Gautam Kumar, Male, 18 years, Son of Suresh Das
 4. Mintu Das, Male, 27 years, Son of Naresh Das
 5. Nand Kishore Das, Male, 25 years, Son of Naresh Das

All Resident of Village – Singhadi, P.S.-Goh, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 15-02-2019 Heard the learned counsel for the petitioners, the informant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Goh P.S. Case No. 219 of 2018, dated 04.10.2018, instituted for the offences under Sections 341, 323, 308, 504 and 34 of the Indian Penal Code.



It has been alleged in the F.I.R. that while the informant was at her house, the petitioners came and assaulted her father-in-law. When she went to the rescue her father-in-law, she too was assaulted. There is allegation of assaulting other members of the family as well.

The learned counsel for the petitioners has submitted that because of the land dispute, the present case has been lodged with such general and omnibus allegation against all the accused persons who hail from the same family. The sister-in-law of petitioner No. 1 has also lodged a counter version of the occurrence *vide* Goh P.S. Case No. 225 of 2018, alleging assault to members of her family.

The petitioner Nos. 1 and 4 have been made accused in a case earlier, but that case has been lodged by the brother-in-law of the informant of the present case and in which case, the petitioner Nos. 1 and 4 are on bail. So far as petitioner Nos. 2, 3 and 5 are concerned, there are no criminal antecedents against them.

Considering the nature of accusation, the background facts and the fact that some of the petitioners



have only been made accused earlier at the instance of the family members of the informant while others have clean antecedents, 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 the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 219 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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