

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13597 of 2019

Arising Out of PS. Case No.-471 Year-2018 Thana- NARPATGANJ District- Araria

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1. SHIVJI SINGH, Male, aged about 52 years, S/O Subedar Singh
 2. Guddu Singh, Male, aged about 40 years, S/O Subedar Singh
 3. Raja Kumar @ Raja Kumar Singh, Male, aged about 25 years, S/O Shivji Singh
All Residents of Village Madhura South, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioners apprehend their arrest in Narpatganj P.S. Case No.471 of 2018 registered under Sections 341, 323, 324, 325, 307, 448, 379 and 34 of the Indian Penal Code.

The informant alleged that while he was constructing his boundary wall on his land, Shivji Singh came and claimed that the land belongs to him. Shivji Singh, petitioner No.1 and Guddu Singh, petitioner No.2 began to abuse the informant and demolished some portions of the boundary wall. Shivji Singh also called his men namely, Randhir Singh, Raja Kumar (petitioner No.3), Golu Kumar Singh and brought sharp edge weapon. Randhir Singh and Raja Kumar are alleged to have



assaulted the informant with farsa on his head. When his younger brother, Ganga Singh and his son, Jitendra Kumar Singh and nephew, Vicky Kumar came, Shivji Singh indiscriminately assaulted them with lathi. Raja Kumar assaulted his son Jitendra Kumar Singh with farsa on his head.

The learned counsel for the petitioners submits that there is a land dispute between two sides. The injuries found on the person of the informant, Ramsagar Singh, Vicky Kumar Singh, nephew of the informant, Ganga Singh, the brother of the informant and Jitendra Kumar Singh, son of the informant do not corroborate the ocular version of the informant. Of course, Ramsagar Singh found one incised wound but the same is superficial in nature. Raja Kumar is alleged to have assaulted Ramsagar Singh. Other injured namely Jitendra Kumar Singh, Ganga Singh and Vicky Kumar Singh got bruise and abrasion which are superficial and simple in nature.

Taking into consideration the facts that there appears a land dispute between two sides and on account of assault made by the petitioner No.1 three superficial and simple injuries are alleged to have been caused and there is no allegation of assault against petitioner No.2, let the petitioners, above named, in the event of their arrest or surrender before the court below within a



period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No.471 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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