

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12471 of 2019

Arising Out of PS. Case No.-100 Year-2018 Thana- SHANKARPUR District- Madhepura

1. Prithvi Chandra Sah
2. Arun Sah @ Arun Kumar Sah
3. Sitaram Sah
All sons of Late Nand Keshwar Sah
4. Surya Narayan Sah
5. Hira Lal Sah
6. Brahmdeo Sah
All sons of Prithvi Chandra Sah
All are Residents of Village- Raibhir, Ward No.-8, Police Station-
Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivpujan Sahay
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2019 The petitioners apprehend their arrest in connection with

Shankarpur P.S. Case No. 100 of 2018 registered under Sections

307, 323, 325, 341 and 504/34 of the Indian penal Code.

Allegation against the petitioner no. 1 is that even after measurement of the land, he had uprooted the pillars fixed in the land and abused him. There is specific allegation against petitioner no. 5 that he assaulted by rod on the right hand of the informant and when his mother and wife came to save him, petitioner no. 1 assaulted them by *Farsa* on the head of the mother of the informant with intention to kill her, causing



injuries and when his brother came to save him, accused persons including the petitioners assaulted him by *Lathi* and *Danda*.

Submission of learned counsel for the petitioners is that FIR itself shows that there is land dispute between the parties with respect to measurement of land and further there is allegation of assault but that is omnibus in nature except petitioner no. 1 and 5 and all injuries are simple in nature than one which is on hand.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Judge-I-cum-ACJM-1, Madhepura in connection with Shankarpur P.S. Case No. 100 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sujit/-

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