

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19136 of 2019

Arising Out of PS. Case No.-275 Year-2018 Thana- DHAMDAHA District- Purnia

1. Sadanand Das, Son of Phul Chand Das Resident of Village-Mogaliya Purandaha Paschim Ward No-7, P.S-Dhamdaha, Dist.-Purnea.
2. Mohan Das, Son of Phul Chand Das Resident of Village- Mogaliya Purandaha Paschim, Ward No. 7, P.S.- Dhamdaha, District- Purnea.
3. Kari Das, Son of Phul Chand Das Resident of Village-Mogaliya Purandaha P.S-Dhamdaha, Dist-Purnea
4. Madho Das, Son of Mehi Das Resident of Village-Mogaliya Purandaha P.S-Dhamdaha, Dist-Purnea
5. Gopal Das, Son of Bhaju Das Resident of Village-Mogaliya Purandaha P.S-Dhamdaha, Dist-Purnea
6. Deo Narayan Das, Son of Late Kari Das Resident of Village-Mogaliya Purandaha P.S-Dhamdaha, Dist-Purnea
7. Dhuri Das, Son of Late Sevak Das Resident of Village-Mogaliya Purandaha P.S-Dhamdaha, Dist-Purnea
8. Paglu Das, Son of Late Gore Das Resident of Village- Mogaliya Purandaha, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-07-2019 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with

Dhamdaha P.S. Case No.275 of 2018 for the offence punishable

under Sections 447, 341, 323, 324, 325, 307, 427, 506, 34 of the

Indian Penal Code.



The allegation against the petitioners, as mentioned in the FIR is that the petitioners along with other accused persons assaulted the informant, Mira Devi, Munni Lal, husband of the informant and Dropadi Devi, daughter of the informant by means of lathi and danda.

Learned counsel for the petitioners submits that there is admitted land dispute between the parties and there is a case and counter case inasmuch the side of the petitioner i.e., brother-in-law of petitioner No.1, Tuntun Das has also lodged FIR for the same incident bearing Dhamdaha P.S. Case No.274 of 2018 registered under Section 341, 323, 324, 504, 34 I.P.C. Learned counsel for the petitioners further submits that Tuntun Das has also received injuries.

Learned counsel for the State refers certain paragraphs of the case diary from which it appears that the injuries caused by the side of the informant does not appear to be grievous.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is case and counter case between the parties, there are admitted land dispute between the parties and parties are agnates and injuries does not



appear to be grievous, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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