

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21045 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- HASANPUR District- Samastipur

1. RUDAL DAS S/o Deo Narayan Das Resident of Village- Patepur, Sasan, P.S.- Hasanpur, District- Samastipur.
2. Garbhu Das @ Gadho Das S/o Gena Lal Das Resident of Village- Patepur, Sasan, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019 Heard both sides.

The petitioners apprehend their arrest in Hasanpur P.S. case No. 67 of 2018 registered under Section 307 and other minor Sections of the IPC.

The informant alleged that his brother, Ram Charitar Das, was ploughing his field by tractor but in the meantime, Ghuran Das, Amar Das and other accused persons, including the petitioners, came there, armed with different weapons, and assaulted the brother of informant. When the informant came to save, Ghuran Das assaulted the informant with iron rod on his head. Amar Das assaulted the informant with butt of pistol on his mouth. Other accused persons also assaulted the informant. Garbhu Das, petitioner No.2, assaulted the informant with Khanti on his hand. Petitioner No.1, Rudal Das, is said to have assaulted Satya Prakash.

The learned counsel for the petitioners submits that



petitioners are not the assailant of Ram Charitar Das, brother of informant. The informant and Satya Prakash got simple injuries. The occurrence took place due to land dispute. It is further submitted that the learned Additional Sessions Judge in his order mentioned that injuries on the persons of injured are simple in nature.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that on account of assault made by the petitioners simple injury is caused and the occurrence took place on account of land dispute, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III Rosera, Samastipur, in connection with Hasanpur P.S. case No. 67 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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