

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22680 of 2019**

Arising Out of PS. Case No.-132 Year-2018 Thana- SURYAGARHA District- Lakhisarai

1. VIBHISHAN KUMAR @ BHABHISHAN Son of Satya Narayan Sao
  2. Pawan Kumar Son of Satya Narayan Sao
  3. Ashok Sao @ Ashok Kumar Son of Sardari Sao
  4. Sadanand Sao @ Sadan Sao Son of Shivan Sao
  5. Maletri Sao Son of Shivan Sao
- All are resident of Village - Ratanpur Barari Tola, Piparia, P.S.- Suryagarha,  
Distt.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar  
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      14-05-2019      Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Suryagarha P.S.Case no.132 of 2018 , registered for offences punishable under Sections 147, 148, 149, 323, 324, 325, 307 of the Indian Penal Code.

FIR discloses that with respect to construction of *Chhajja* there was dispute between the parties and the police officer asked for measurement of the land but the petitioners were constructing the same and when the informant protested the petitioners and others altogether 13 persons named in the FIR



assaulted by various arms to Fantus Sao and Chhote Lal Sao and later on Fantus Sao died in the hospital.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties and no specific allegation has been attributed against any of the petitioners and earlier a *panchayati* was also held that was decided in four of the petitioners .

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the pettiness are named in the FIR and the allegations are of assault against them..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Lakhisarai in connection with Suryagarha P.S.Case No.132 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition not to tamper witht



the evidence or threaten the informant and his family members..

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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