

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27541 of 2019

Arising Out of PS. Case No.-251 Year-2018 Thana- DHURAIYA District- Banka

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1. PRAMOD DAS @ PRAMOD HARIJAN
 2. Bhim Das
 3. Harmod Das @ Subood Das,
All three petitioners sons of Madesar Das
 4. Vilash Das
 5. Kailas Das
 6. Manoj Das
 7. Dinesh Das
All petitioner 4 to 7 are son of Anandi Das
 8. Dhanchu Das @ Dhananjay Das
 9. Panchu Das
Both petitioners are son of Kailash Das
 10. Vibhisan @ Vibhisan Das S/o Pramod Das
 11. Mando Das S/o Tanku Das
All residents of village- Pothia, P.S.- Dhoraiya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-04-2019 Heard both sides.

The petitioners apprehend their arrest in Dhoraiya P.S.

Case No. 251 of 2018 registered under Sections 147, 341, 323,
307, 379, 504 and 506 of the Indian Penal Code.

Ashok Das, the informant alleged that his wife tied
her cow in a pole situated by the side of the road but Harmod



Das and Bhim Das uprooted the pole claiming the lands to be their owns. When his wife Pinki Devi made protest, Harmod Das and Bhim Das assaulted her with fist and slab and put her down on the road causing injury on her head. They snatched chain made of silver. Raushan Kumar, son of informant came to save but Pramod Das, Vilash Das, Kailash Das, Manoj Das, Dinesh Das, Dhanchu Das, Panchu Das and Vibhisan Das abused and assaulted him and Mando Das assaulted the informant with lathi on his head.

The learned counsel for the petitioners submits that on account of land dispute, both sides entered into mutual assault and from the side of the petitioners, Dhoraiya P.S. Case No.252 of 2018 was registered against the informant and others on the fardbeyan of Laxmi Devi, wife of Pramod Harijan.

It is further submitted that the informant got lacerated wound on his shoulder and temporal region. The injuries are superficial and simple in nature. The wife and son of the informant also got simple injuries. It appears that both the sides on account of land dispute entered into mutual assault on each other for which from the side of the petitioners, Dhoraiya P.S. Case No.252 of 2018 was registered. The injuries found on the person of the informant, his wife and son are superficial and



simple in nature.

Taking into consideration the facts aforesaid, 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, Banka in connection with Dhoraiya P.S. Case No. 251 of 2018(G.R. No.4043 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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