

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37029 of 2019

Arising Out of PS. Case No.-448 Year-2017 Thana- NAUTAN District- West Champaran

1. KAMESHWAR RAM(37 years M) Son of late Chandrika Ram Resident of Village- Gahiri, P.S.- Nautan, District- West Champaran.
2. Manibhushan Ram @ Manibhushan Kumar Ram(22 years M) Son of Late Amar Ram Resident of Village- Harpur, P.S.- Majhulia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-06-2019 Heard both sides.

The petitioners apprehend their arrest in Nautan P.S.
Case No.448 of 2017 registered under Sections 324, 308, 323,
379, 341, 504 and 506 of the Indian Penal Code.

The informant, Dipesh Sagar, named both the petitioners along with Samita Devi and alleged that they were forcibly taking possession of his land. When the informant objected, Kameshwar Ram and Manibhushan Ram are assaulted the informant with fist, slab and stick. Samita Devi is said to have assaulted the informant with bakua, a sharp edge weapon.

The learned counsel for the petitioners submits that there is a counter version being Nautan P.S.Case No.413 of



2017. Samita Devi has already been granted anticipatory bail by this Court vide order dated 22.05.2018 passed in Cr. Misc. No.30878 of 2018. One injury was found on the person of the informant which is opined to be simple in nature caused by hard and blunt substance. No other injury was found on the body of the informant and therefore, the allegation of assault made by the petitioners is falsified.

Taking into consideration the facts aforesaid and the fact that there is a case and counter case and informant sustained one injury which is simple in nature, 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 Additional Chief Judicial Magistrate-VII, West Champaran at Bettiah in connection with Nautan P.S. Case No.448 of 2017, 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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