

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39756 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- KAUWAKOL District- Nawada

1. Shiva Sao, Son of late Vaso Sao @ Vaso Sav, Resident of Village - Lalpur, P.S.- Kawakole, Dist.- Nawada.
2. Baijan Sao @ Baijnath Sao, Son of late Vaso Sao @ Vaso Sav Resident of Village - Lalpur, P.S.- Kawakole, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Kawakole P.S. Case No. 14 of 2019, registered under Sections 341,
323, 324, 307 and 379/34 of the Indian Penal Code.

The accusation is that six persons named in the F.I.R.
including the petitioner reached at the boring of the informant,
Rajendra Sao, and started to abuse. When he made protest then
Baijan Sao (petitioner no. 2) ordered to kill him. Thereafter, Baijan
Sao (petitioner no. 2) gave Khanti blow at his head whereas Shiva
Sao (petitioner no. 1) having Garasa in his hand and Sunil Sao
having farsa in his hand assaulted him causing injury at his head.
Thereafter, Sanju Devi, Akashwa Devi and Masudan Sao assaulted



him through lathi with intention to kill him. The cause of occurrence is land dispute.

Learned counsel for the petitioners submits that, in fact, occurrence took place due to land dispute, while allegation has been made against both petitioners to cause injury at the head of the informant through Khanti and Farsa but all eight injuries are lacerated in nature and regarding which, opinion is kept reserved and no any sharp cut injury was found on the informant. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Nawada, in connection with Kawakole P.S. Case No. 14 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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