

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49616 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- TERHAGACHH District- Kishanganj

1. Manoj Mahto, Son of Fuleshwar Mahto Resident of Village- Balua Jageer, P.S.- Terhagachh, District- Kishanganj
2. Tilo Devi W/o Manoj Mahto Resident of Village- Balua Jageer, P.S.- Terhagachh, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Terhagachh P.S. Case no. 74 of 2019, registered under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal Code.

The accusation is that after measurement of the land, the informant was making pillar for construction of house. At that time, six persons named in the F.I.R., including the petitioners, came there and obstructed to make pillar. When informant made protest then all assaulted the informant, Puspa Devi, Sita Devi, daughter-in-law and wife of the informant.



Learned counsel for the petitioners submits that, in fact, occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Terhagachh P.S. Case No. 73 of 2019 was instituted on 30.04.2019 on the basis of fardbeyan of Raj Kumar Mahto, brother of petitioner No.1. The 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Terhagachh P.S. Case No. 74 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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