

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54119 of 2019

Arising Out of PS. Case No.-72 Year-2019 Thana- BALRAMPUR District- Katihar

1. Nathu Bosak @ Natthu Bosak, Son of Joytish Bosak, Resident of Village- Baghdogra, P.S.- Balrampur, District- Katihar.
2. Jyotish Bosak, S/o Late Bhaya Lal Bosak, Resident of Village- Baghdogra, P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Balrampur P.S. Case No. 72 of 2019, registered under Sections 341, 323, 324, 307, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the morning of 21.06.2019, when the informant, Badami Devi, tied her cow near the *Chabutra* then Natthu Basak (petitioner no.1) came there and started to abuse. When the informant made protest then scuffle took place in between informant and petitioner no.1. Thereafter, her husband came to save her then all started to cause assault to



her husband through fist and slaps. At that time, petitioner no. 1 pushed her and tried to outrage her modesty and Jyotish Bosak (petitioner no.2) started to assault her husband through sharp cutting weapon, causing injury at his head. In the meantime, Kalu Devi and Rani Kumari snatched the ornaments and took cash of Rs.5,000/- from the pocket of her husband.

Learned counsel for the petitioners submits that, in fact, due to land dispute, occurrence took place, in which, petitioners' side also sustained injury, regarding which, Complaint Case No. 1366 of 2019 is also instituted on the basis of written report of co-accused, Kalo Devi against the informant of the present case and others.

On the other hand, learned counsel for the informant submits that the head injury, which is said to be caused by petitioner no. 2 at the head of Mohan Lal Boshak, husband of the informant, is shown as grievous in nature.

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 ACJM-VI,



Katihari, in connection with Balrampur P.S. Case No. 72 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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