

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54485 of 2019

Arising Out of PS. Case No.-174 Year-2017 Thana- DHAMDAHA District- Purnia

1. BINDESHWARI RISHIDEO Son of Late Saukhi Rishideo
2. Kumod Rishideo Son of Bindeshwari Rishideo
Both resident of Village- Damgara, P.S.- Dhamdaha, District- Punea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amardeep
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-08-2019 Heard both sides.

The petitioners apprehend their arrest in Dhamdaha P.S. Case No.174 of 2017 registered under Sections 307, 379 and other minor Sections of the Indian Penal Code.

The informant disclosed that on being asked not to cut his bamboos, on the order of petitioner No.1(Bindeshwari Rishideo), Bouku Rishideo assaulted the wife of the informant with dab on her head. Chandan Rishideo also assaulted her with spade on her waist and back and also fractured her hand. When Bijendra Paswan, son of the informant came, Anik Rishideo assaulted him caused injury. Anik Rishideo also assaulted the informant.

The learned counsel for the petitioners submits that



petitioner No.1 is said to have order giver and there is no allegation of assault against petitioner No.2. The occurrence took place due to the land dispute and for cutting bamboos.

Taking into consideration the fact that there is no allegation of assault against the petitioners although petitioner No.1 is alleged to have ordered on such other accused persons assaulted the informant, his wife and son, 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, Purnea in connection with Dhamdaha P.S. Case No.174 of 2017, G.R. No.2858/17, 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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