

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59505 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- GOH District- Aurangabad

1. ASHOK DAS Son of Late Kailash Das Resident of Village- Pema, P.S. Goh, District- Aurangabad.
2. Alok Das Son of Late Kailash Das Resident of Village- Pema, P.S. Goh, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Goh P.S. Case no. 104 of 2019, registered under Sections 341, 323, 307, 447 and 504/34 of the Indian Penal Code.

The accusation is that petitioners along with Sudumia Kunwar came at the door of informant Prakash Das and Sudumia Kunwar started to abuse, when informant tried to convinced her then Alok Das (petitioner No.2) gave stick blow at his head as a result of which he fell down. Thereafter, Raushan Kumar also started to cause assault to him. At that time, Alok Das caused injury through stick to his daughters Sarita, Shobha Devi and Shobhiya @ Panchiya Devi, wife of informant. The cause of occurrence is land dispute.



Learned counsel for the petitioners submits that occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Goh P.S. Case No. 103 of 2019 was also instituted against the informant and others on the basis of fardbeyan of petitioner No.2. Further submission is that the injuries as found on the person of informant Prakash Das and Sarita are simple in nature, while opinion regarding the injury found on the person of Shobhiya @ Panchiya Devi, wife of informant, is kept reserved. 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, Aurangabad in connection with Goh P.S. Case No. 104 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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