

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56341 of 2019

Arising Out of PS. Case No.-267 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

1. SUDHIR KUMAR Son of Girja Singh @ Girja Mahto Resident of Village-Pathara, Police Station-Makhdumpur, District-Jehanabad.
2. Gunjan Kumar Son of Girja Singh @ Girja Mahto Resident of Village-Pathara, Police Station-Makhdumpur, District-Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Makhdumpur P.S. Case No.267 of 2019 registered under Sections 147, 148, 149, 323, 341, 324, 379, 504 and 506 of the Indian Penal Code.

The accusation is that five persons, named in the F.I.R., including the petitioners variously armed with weapons came on the land of the informant and with an intention to possess her land, started keeping the stone chips on her land. When the informant made protest, then all started to abuse her. At that time, Niraj Kumar gave khanti blow on the head of the



informant, due to which she sustained blood oozing injury on her forehead and she fell down. When the mother-in-law of the informant rushed to save her, then Kundan Kumar gave rod blow on her head, due to which she sustained blood oozing injury on her forehead. In that course, others also caused assault through lathi on other parts of the body of the informant. When the informant fell down, Kundan Kumar and Gunjan Kumar (petitioner no.2) snatched the gold earring of the informant.

Learned counsel for the petitioners submits that, in fact, the petitioners and their family members started to keep the stone chips on the land purchased by them but with an ulterior motive and due to grab the land of the petitioners, the informant has lodged the present case. Moreover, while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Jehanabad, in connection with Makhdumpur P.S.



Case No.267 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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