

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62432 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- KHAIRA District- Jamui

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1. Nilam Devi, Wife of Sanjay Saw, Resident of Village - Singarpur, P.S.-
Khaira, District- Jamui
 2. Anil Saw @ Anil sah, Son of Binod Saw, Resident of Village - Singarpur,
P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 29.04.2019 in a case registered for the offences punishable under Sections 341, 323, 302 and 504/34 of the IPC.

The prosecution case, as per the written report of Sunita Devi, dated 29.04.2019 submitted to the Station House Officer, Khaira Police Station, is to the effect that on 28.04.2019 at 11 A.M., the informant along with her husband was at his field, in the meantime, all the accused persons including the petitioners came and started abusing the informant claiming the land in question. It is further alleged that co-accused Sanjay Sao assaulted on the head of the husband of the informant with



bamboo, as a result, he fell down. It is also alleged that the mother of Sanjay Sao, namely, Shanti Devi threw the bricks, which hit on the left eye of the informant, causing bleeding injury and thereafter, co-accused Anil Sao, son of Gajo Sao and the petitioner, Anil Sao, son of Binod Sao assaulted the husband of the informant with lathi. Subsequently, during treatment, the husband of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of land dispute. The accusation against petitioner no.1 is not specific whereas the accusation against the petitioner no.2 is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that accusation against the petitioner no.1 is not specific whereas the accusation against the petitioner no.2 is omnibus and general and the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Jamui in connection with Khaira P.S. Case No. 124 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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