

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78984 of 2018

Arising Out of PS. Case No.-434 Year-2016 Thana- NARPATGANJ District- Araria

1. Khonai Rishidev @ Khonay Rishidev S/o Late Yugal Rishidev
2. Nityanand Rishidev S/o Baldev Rishidev Both are R/vill-Pusaha, Barhepara, P.S-Narpatganj, Distt.-Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Sri Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-03-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Narpatganj P.S. Case No. 434 of 2016** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

Informant has alleged in her written complaint that on 25.12.2016 when her husband and driver had gone to plough land, petitioners along with FIR named accused variously armed with deadly weapons came there and stopped them and on protest being made by her husband petitioners assaulted him by means of *farsa* and when driver tried to save him, he was also assaulted by petitioners thereafter on alarm being raised her son and neighbour reached there they were also assaulted.



It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to enmity and land dispute. There is case and counter case between the parties. Petitioners have got no criminal antecedent and are in custody since 21.07.2018.

Considering direct allegation against petitioners is of assaulting the husband and driver of the informant and injury being grievous in nature, I am not inclined to enlarge the petitioners on bail at this stage, hence, the prayer for bail of the petitioners is hereby rejected.

However, it is observed that petitioner may renew his prayer for bail, after one year of jail custody.

(S. Kumar, J)

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