

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60099 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- PARIHAR District- Sitamarhi

1. SURYA DEO MAHTO Son of Govind Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.
2. Sushil Mahto Son of Govind Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.
3. Umesh Mahto Son of Govind Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.
4. Umashankar Mahto Son of Govind Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.
5. Narayan Mahto Son of Dukha Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.
6. Chhabila Mahto Son of Narayan Mahto, Resident of Village-Parihar, P.S.-Parihar, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-10-2019 Heard both sides.

Petitioners apprehend their arrest in Parihar P.S. Case No.87 of 2019 registered under Sections 147, 149, 341, 323, 379, 354, 504, 506, 326, 447 and 440 of the Indian Penal Code.

The informant alleged that the accused persons were constructing fence on the disputed land and when the informant objected, the accused persons assaulted her and dragged her on the road. It is further alleged that she informed her son-in-law



and having received such information, her son-in-law along with many persons came but the petitioners and other villagers surrounded the son-in-law and his friends and assaulted them and also damaged the vehicle.

Learned counsel for the petitioners submits that there is a counter version being Parihar P.S. Case No.86 of 2019. The police also lodged Parihar P.S. Case No.85 of 2019 against the petitioners and others for the same occurrence in which the petitioners have been granted anticipatory bail by the learned court below. The son-in-law of the informant got one lacerated wound which is simple in nature. No specific allegation of assault is made against any of the petitioners. It is submitted that on account of land dispute, the informant called her son-in-law, who with his musclemen came and tried to take possession of the disputed land for which some altercation and scuffle took place between two sides.

Having considered the facts that there is a bonafide land dispute and for which both sides entered into a scuffle and lodged case and counter case, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be



enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Parihar P.S. Case No.87 of 2019, 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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