

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66863 of 2019**

Arising Out of PS. Case No.-291 Year-2019 Thana- MOTIHARI MUFASIL District- East  
Champaran

- 
1. Sundaram Kumar, Son of Madan Sah Resident of Village - Chandrahiya, P.S.- Muffasil Motihari, Distt.- East Champaran.
  2. Satyam Kumar, Son of Madan Sah Resident of Village - Chandrahiya, P.S.- Muffasil Motihari, Distt.- East Champaran.
  3. Madan Sah, Son of Basanti Sah Resident of Village - Chandrahiya, P.S.- Muffasil Motihari, Distt.- East Champaran.
  4. Fulmati Devi, W/o Madan Sah Resident of Village - Chandrahiya, P.S.- Muffasil Motihari, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Satyendra Narayan Singh

---

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      20-11-2019      Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 354B, 504 and 506/34 of the IPC.

The prosecution case is that in the background of litigated relationship, all the FIR named accused persons including the petitioners came on the land of the informant and started cutting the ridge of his agricultural field and also started cultivating the same by use of a tractor. It is specifically alleged that when the informant protested, on the order of petitioner no.3, Madan Sah,



petitioner no.1, Sundaram Kumar gave spade blow on the head of the informant twice and consequently when the informant fell down then all the accused persons including the petitioners assaulted him with leg and fist. It is further alleged that petitioner no.2, Satyam Kumar tore the blouse of the informant and petitioner no.4, Fulmati Devi snatched a gold chain from the neck of the informant and when the husband of the informant came to rescue her, he was also assaulted by all the accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that in the background of serious land dispute, the accusation has been levelled against the petitioners and the injuries of the informant's side have been found superficial simple in nature. A statement has been made in paragraph no.3 of the petition that except petitioner no.1, who is made accused in one other case, in which he is on bail, the petitioners are not having any criminal antecedent. It is further submitted that for the alleged occurrence of 25.06.2019, the FIR has been lodged on 01.07.2019.

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

Considering the nature of accusation being levelled in



the background of land dispute, nature of injury being found simple in nature and delayed lodging of the FIR, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Muffasil P.S. Case No. 291 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

