

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19820 of 2020

Arising Out of PS. Case No.-417 Year-2019 Thana- HARSIDHI District- East Champaran

1. Mohammaddin Mian Son of Late Abdul Mian Resident of Village- Dakshnini Chhatwaniya, Mathlohiyar, P.S.- Harsidhi, District- East Champaran (Bihar)
2. Rasool Mian S/o Mohammaddin Mian Resident of Village- Dakshnini Chhatwaniya Mathlohiyar, P.S.- Harsidhi, District- East Champaran (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Samir Kumar, Advocate
For the Opposite Party	:	Mr. B. N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek bail in connection with Harsidhi P. S. Case No.417 of 2019 registered under Sections 341, 323, 324, 379, 308, 504 & 506/34 of the Indian Penal Code.

Learned counsel for the petitioners contended that there is land dispute between the parties. The petitioner no. 1 is owner and in possession of land. He had every right to construct wall on the land belonging to him. The members of the prosecution party were aggressor. It was the mother-in-law of the informant, who had objected to the construction of wall. He



further contended that though there is allegation against petitioner no. 2 to have given *farsa* blow on the head of the informant, the injury sustained by the informant was simple in nature. He also contended that the petitioners, having no criminal antecedent, are in custody in connection with the incident since 06.01.2020.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of the offence, accusation made against the petitioners and the submissions made on their behalf, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in Harsidhi P. S. Case No.417 of 2019.

(Ashwani Kumar Singh, J)

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