

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30391 of 2020

Arising Out of PS. Case No.-45 Year-2020 Thana- MADHEPUR District- Madhubani

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1. Saroj Ram, aged about 32 years, male, S/o Brihaspati Ram, Resident of Village-Prasad, Post-Banki, P.S.-Madhepur, District-Madhubani.
 2. Shayama Devi, aged about 68 years, female, W/o Brihaspati Ram, Resident of Village-Prasad, Madhubani, Banki, P.S.-Madhepur, District-Madhubani.
 3. Rekha Devi, aged about 27 years, female, W/o Saroj Ram, Resident of Village-Prasad, Post-Banki, P.S.-Madhepur, District-Madhubani.
 4. Sunita Devi, aged about 34 years, female, W/o Manoj Ram, Resident of Village-Prasad, Post-Banki, P.S.-Madhepur, District-Madhubani.
 5. Rekha Devi, aged about 24 years, female, W/o Mukesh Ram, Resident of Village-Prasad, Ward No.6, Post-Banki, P.S.-Madhepur, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha, Adv.

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-12-2020 Heard Mr. Prafull Chandra Jha, learned counsel for

the petitioners and Mr. Braj Kishore Prasad, learned APP for

the State.

The petitioners seek bail in anticipation of their



arrest in connection with Madhepur P.S. Case No. 45 of 2020, dated 21.03.2020, instituted for the offences under Sections 143, 341, 323, 379, 307, 324, 354(B) and 504/34 of the Indian Penal Code.

The allegation in the First Information Report is of assaulting the prosecution party on protest against the accused persons urinating and defecating near the house of the informant.

It has been submitted on behalf of the petitioners that nothing specific has been alleged against them and the background facts clearly indicate that there had been some dispute between the parties with respect to the fallow land being used for the petitioners to defecate.

With respect to an occurrence which had taken place on 20.03.2020, there is a counter version as well lodged against the family members of the informant. Reference of such dispute has been made in paragraph 7 of the bail petition.

Regard being had to the facts afore-stated and taking into account the nature of dispute between the parties



as also the clean antecedent of the petitioners, they, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Madhepur P.S. Case No. 45 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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