

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86361 of 2019

Arising Out of PS. Case No.-454 Year-2019 Thana- DARIYAPUR District- Saran

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1. KARIMAN SAH Son of Shankar Sah Resident of Village - Sajanpur, P.S.-
Dariyapur, Distt.- Saran at Chapra.
 2. Shankar Sah Son of Satya Narain Sah Resident of Village - Sajanpur, P.S.-
Dariyapur, Distt.- Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Dariyapur P.S. Case No. 454/2019 registered under Sections 447/504/323/354(B)/379/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners and informant side are co-sharers and there is land dispute between the parties, on account of the said land dispute the informant has lodged another case after the petitioners were granted bail in the earlier case. Learned counsel further submits that the petitioners and the other



two sons of petitioner no. 2 had assaulted the informant, in paragraph '7' of the application the petitioners have claimed that there is no medical report of the informant on record to suggest that she was assaulted. Learned counsel submits that these petitioners are in jail since 21.11.2019, there is a counter case as well.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that petitioners and informant side are co-sharers and there is land dispute between the parties, on account of the said land dispute the informant has lodged another case after the petitioners were granted bail in the earlier case lodged by her and further submission that although it is alleged that the petitioners and the other two sons of petitioner no. 2 had assaulted the informant, in paragraph '7' of the application the petitioners have claimed that there is no medical report of the informant on record to suggest that she was assaulted and further submission that these petitioners are in jail since 21.11.2019, there is a counter



case as well, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge/Special Judge, Excise, Saran, Chapra, in connection with Dariyapur P.S. Case No. 454/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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