

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29990 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- DHAMDAHA District- Purnia

1. KISHORI RAI @ KISHOR RAY Son of Late Paltu Rai Resident of Village- Dhamdaha, Uttar Tola, Ward No. 12, P.S.- Dhamdaha, District- Purnea.
2. Sushil Rai @ Sushil Kumar Rai Son of Kishori Rai @ Kishore Ray Resident of Village- Dhamdaha, Uttar Tola, Ward No. 12, P.S.- Dhamdaha, District- Purnea.
3. Surendra Rai Son of Kishori Rai @ Kishore Rai Resident of Village- Dhamdaha, Uttar Tola, Ward No. 12, P.S.- Dhamdaha, District- Purnea.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-03-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 354, 379, 307 & 504/34 of the Indian Penal Code.

All the petitioners along with other co-accused after forming an unlawful assembly armed with weapons are said to have come at the land of the informant and started abusing him to vacate the land otherwise they would be killed. They also assaulted the informant and he sustained injury on his person. When the son and daughter of the informant came in his



rescue, they tore the cloth of his daughter and accused Kishan Rain took out Rs.8000/- from the pocket of his son. Binay Kumar Bharati, who purchased the said land from the informant was also assaulted by the petitioners and they also snatched his gold chain from his neck. Accused Aman Thakur assaulted Binay Kumar Bharti with iron rod.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. There is specific allegation of assault is against Aman Thakur. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. The injury sustained by the informant is simple in nature. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with



Dhamdaha P.S. Case No.32 of 2020, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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