

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46179 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- DALSINGHSARAI District- Samastipur

1. Ram Bahadur Sah @ Bahadur Sah S/O Hari Narayan Sah @ Hari Sah R/O Village-Bombaiya Harlal, P.S-Dalsingsarai, District-Samastipur.
2. Ram Balak Sah S/O Hari Narayan Sah @ Hari Sah R/O Village-Bombaiya Harlal, P.S-Dalsingsarai, District-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-11-2021 Heard both parties.

The petitioners seek bail in Dalsinghsarai P.S. Case No. 334 of 2020, registered for the offence punishable under Sections 307, 323 other allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, while the informant was returning from his field, petitioners along with other FIR named accused persons surrounded him and started abusing. On protest, petitioner no. 2 assaulted the informant with iron rod causing head injury. Thereafter, petitioner no. 1 and co-accused Jivan Sah assaulted him with *lathi* causing fracture in his hand. When informant's wife and his sons came to rescue him, petitioner no. 1 thrashed



his wife and assaulted her with fist and legs. Informant's son was also assaulted by the accused persons with leg, fists causing injury to him. Co-accused Jivan Sah snatched gold chain and Hanuman locket from the son of informant.

It is submitted on behalf of the petitioners that both parties are *pattidars* and on account of ploughing the field of respective shares on 29.10.2020 an altercation took place, thereafter, the informant, his wife, three sons abused and assaulted the co-accused Ram Jivan Sah @ Ram Jivan Kumar and again on 30.10.2020 the informant party abused and assaulted Ram Jivan Sah and his family members and for the same he filed a petition before the Gram Kachahri and when notice to them this false case has been lodged by the informant. Admittedly, there is land dispute between the parties. Petitioners are in custody since 25.03.2021 having clean antecedent.

Considering the facts and circumstances of the case and the fact that there is land dispute between the parties, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Dalsingsarai,



Samastipur in connection with Dalsingsarai P.S. Case No. 334
of 2020.

(Prabhat Kumar Singh, J)

vinita/-

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