

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2774 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- TARIYANI CHOWK District- Sheohar

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1. Rupesh Singh, S/o Krishnandan Singh
2. Jivas Kuwar @ Jiwan Kuwar @ Jivachh Kumar, S/o Krishnandan Singh
3. Surendra Singh, S/o Late Nageshwar Singh

All are R/o village- Sonvarsha, P.S.- Tariyani, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-07-2021 Heard Mr. Shanti Bhushan Singh, the learned Advocate for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Tariyani P.S. Case No. 139 of 2020, instituted for the offences under Sections 323, 34, 341, 354(B), 379, 448, 504 and 506 of the Indian Penal



Code.

According to the F.I.R., the petitioners had come to the house of the informant in search of her son. When his whereabouts could not be known, the petitioners are alleged to have assaulted the informant and her daughter-in-law. There is a specific act of assault attributed to petitioner No. 1. The female members of the house were also attempted to be molested.

The learned counsel for the petitioners has submitted that though there is an accusation of assault against them, but such case has been lodged only because of dispute between the parties with respect to a plot of land. Apart from this, it has been submitted that the parties are agnates and the occurrence with respect to a petty dispute has been exaggerated for framing the petitioners in this case. It has further been submitted that no such injury appears to have been caused to any one of the victims, be it the informant or her daughter-in-law or else this case would have been lodged under other sections of the I.P.C.

Regard being had to the background facts and the



land dispute between the parties, the petitioners above-named, 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 in the sum 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, Sheohar in connection with Tariyani P.S. Case No. 139 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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