

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37886 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- SIKTI District- Araria

-
1. VIRENDRA SAH S/o SUKDEO SAH Resident of Village-Sohadi, Ward No.3, P.S.-Bardaha, District-Araria.
 2. Bhola Pandit S/o Ghutharu Pandit Resident of Village-Sohadi, Ward No.3, P.S.-Bardaha, District-Araria.
 3. Ashok Pandit S/o Ghutharu Pandit Resident of Village-Sohadi, Ward No.3, P.S.-Bardaha, District-Araria.
 4. Most. Mira Devi W/o Late Shyam Lal Sah Resident of Village-Sohadi, Ward No.3, P.S.-Bardaha, District-Araria.
 5. Nageshwar Sah S/o Janku Sah Resident of Village-Sohadi, Ward No.3, P.S.-Bardaha, District-Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 10.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Sikti (Bardaha) P.S. Case no.126 of 2020, registered under Sections 341,323,325,354(B),379 and 504 of



the Indian Penal Code.

The accusation is that informant Salita Devi, after making payment, is cultivating field of 02 Acres 81 decimals, on execution of agreement to sale by Sidharth Thakur since 30 years. The sale deed was not executed because he was outside the village. On 26.06.2020, in the morning, Shivnath Sah, husband of informant, and Rukumal Sah were making ridge, in the meantime, all the petitioners came there and started to abuse and snatched spade from the hand of husband of informant and Rukumal Sah. At that time, Ashok Pandit (Petitioner No.3) and Nageshwar Sah (Petitioner No.5) gave spade blow at the hand of Rukumal, as a result, he became unconscious and fell down. Thereafter, Shivnath Sah, husband of informant, was also laid on the ground and he was being assaulted through Lathi-Danda. When informant Salita Devi rushed to save then Virendra Sah (Petitioner No.1) and Mira Devi (Petitioner No.4) caught hold her hair and laid her on the ground. At that time, they also snatched her silver chain and cash of Rs. 2500/- from the pocket of husband of informant.

Learned counsel appearing on behalf of petitioners submits that occurrence of Marpit took place due to land dispute in which slight injuries were sustained by informant



and others, but, with ulterior motive, the informant managed to lodged the present case with false allegation. The 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Sikti (Bardaha) P.S. Case No. 126 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

