

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34177 of 2022

Arising Out of PS. Case No.-612 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO SON OF LATE BHAGWAN MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
2. AWADH BIHARI @ MUKUT SON OF RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
3. RAJU KUMAR SON OF RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
4. BRIJ BIHARI SON OF RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
5. KAJU @ RITESH @ RITESH KUMAR SON OF RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
6. RAJEEV RANJAN SON OF LATE LAXMI NARAIN SINGH R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
7. SAVITREE DEVI WIFE OF RAMJEE SINGH @ RAMJEE MAHTOO @ RAMJEE MAHTO R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
8. SEEMA DEVI @ SEEMA KUMARI WIFE OF AWADH BIHARI R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM
9. CHAMPA KUNWAR WIFE OF LATE LAXMI NARAIN SINGH R/O MOHALLA- LAKHANU SARAI, P.S.- SASARAM, DISTRICT- ROTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Jai Prakash Singh, Adv.
For the Opposite Party/s :	Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioners and learned



Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, all the petitioners are said to have indiscriminately assaulted the informant side by means of various weapons and by pelting stones.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the parties are agnates and there is an admitted land dispute between them, for which a Title Suit bearing No.414 of 2012 is pending before the learned Court of Sub Judge-1, Sasaram, Rohtas. For the alleged occurrence, there is a case and counter-case between the parties. It is further submitted that the prosecution case is itself



doubtful as the alleged occurrence is said to have taken place on 18.09.2020 but the F.I.R. was instituted on 20.09.2020 i.e. after a delay of two days without giving any plausible explanation. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R and the land dispute between the parties, 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/Successor Court in connection with Sasaram (Town) P.S. Case No.612 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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