

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42322 of 2022**

Arising Out of PS. Case No.-144 Year-2021 Thana- SHAMBHUGANJ District- Banka

1. SUMAN SAH @ SHAMBHU KUMAR Son of Panchanand Panjiyara Resident of Village - Sarswati Asthan, P.s.- Asarganj, Distt.- Munger.
2. Birendra Sah Son of Kishori Sah Resident of Village - Sarswati Asthan, P.s.- Asarganj, Distt.- Munger.
3. Matru Mandal Son of Kailash Mandal Resident of Village - Sarswati Asthan, P.s.- Asarganj, Distt.- Munger.
4. Ramdev Khargah @ Ramdev khargahan Son of Bichho Khargah Resident of Village - Sarswati Asthan, P.s.- Asarganj, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mrs. Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 28-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 & 506/34 of the Indian Penal Code.

Petitioners along with four unknown were laying foundation for development of a house on the land of the informant and when the informant protested, all accused persons assaulted the informant along with his other family members



due to which the brother of the informant sustained bleeding injury on his head.

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. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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 lower Court where the case is pending/successor Court in connection with Shambhuganj P.S. Case No.144 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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