

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59428 of 2021**

Arising Out of PS. Case No.-117 Year-2021 Thana- Jagdishpur District- Bhagalpur

1. Hardeo Sah Son of Late Chamru Sah Resident of Village - Gangti, P.S.- Goradih, Distt.- Bhagalpur.
2. Jhuran Sah Son of Late Chamru Sah Resident of Village - Gangti, P.S.- Goradih, Distt.- Bhagalpur.
3. Gautam Sah Son of Hardeo Sah Resident of Village - Gangti, P.S.- Goradih, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Ms.Dr. Indihar Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 04-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Jagdishpur (Goradih) P.S. Case No. 117 of 2021, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence the petitioners were forcibly digging earth on the land of informant. On being protested by the informant, petitioner no. 1 assaulted the informant with lathi causing head injury. Petitioner no. 2 assaulted the informant with iron rod. Petitioner no. 3 took out cash of Rs. 500/- from the pocket of informant.



It is submitted that the alleged occurrence took place due to land dispute between the parties. For the same transaction petitioner no. 2 also lodged Jagdishpur (Goradih) PS Case No. 121 of 2021 against the informant and others. In fact, informant is aggressor and on the alleged date of occurrence while petitioner no. 2 was digging earth for construction of house upon his shared land, informant and two other persons started filling up the earth by spade, as a result of which scuffle took place between the parties in which both parties sustained injury. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 117 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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