

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2144 of 2023

Arising Out of PS. Case No.-627 Year-2022 Thana- MAJHAULIA District- West Champaran

1. DASAI RAM Son of Ramjit Ram R/V- Shyampur, Baithaniya, Ward no. 2, P.S- Majhauliya, Dist- West Champaran
2. Mohan Ram Son of Ramjit Ram R/V- Shyampur, Baithaniya, Ward no. 2, P.S- Majhauliya, Dist- West Champaran
3. Manshi Ram Son of Late Jiyal Ram R/V- Shyampur, Baithaniya, Ward no. 2, P.S- Majhauliya, Dist- West Champaran
4. Rahul Ram @ Rahul Kumar Ram Son of Manshi Ram R/V- Shyampur, Baithaniya, Ward no. 2, P.S- Majhauliya, Dist- West Champaran
5. Lalan Ram Son of Mahanth Ram R/V- Shyampur, Baithaniya, Ward no. 2, P.S- Majhauliya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 324, 379, 109, 447, 284, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including these petitioners went at the door of the informant, abused and assaulted him. It is further alleged that when his son tried to save him, petitioner no. 1 assaulted on the head of the informant's son. When informant came to rescue his son, he was also assaulted by slaps and fists and co-accused Bhola Ram



snatched golden chain from the neck of the informant.

Learned counsel for the petitioners submits that due to pending land dispute between the parties including the proceedings under Section 144 and 107 of Cr.P.C. Marpit took place between the parties. The injury caused is simple in nature. The allegation of loot under Section 384 of the Indian Penal Code is super-addition to make the case non-bailable. The petitioners claim clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Majhauriya P.S. case no 627 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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