

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58818 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- KOCHAS District- Rohtas

1. Dhananjay Ram S/o Late Sheolagan Ram, R/o Village- Tetariyan, P.S. Kochas, Dist. Rohtas.
2. Rajbansh Ram S/o Late Sheolagan Ram, R/o Village- Tetariyan, P.S.. Kochas, Dist. Rohtas.
3. Dashrath Ram S/o Dhananjay Ram, R/o Village- Tetariyan, P.S. Kochas, Dist. Rohtas.
4. Anand Ram S/o Dhananjay Ram, R/o Village- Tetariyan, P.S. Kochas, Dist. Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaubey, Adv.
For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Kochas P.S. Case No. 57 of 2023 dated 11.02.2023, lodged under Sections 341, 323, 325, 307, 354, 379, 504, 34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against thirteen named accused persons. It has been alleged by the informant that when he was constructing his house then at about 12 p.m. noon all thirteen named accused persons reached there. All duly weaponed with lathi, danda, rod have stopped



construction on the land. Upon query they have started abusing and assaulted the informant side. Allegation of outrage the modesty and taking money has also been made. From the said injury both hand of informant has been fractured and head injury also caused.

4. Learned counsel for the petitioners submits that from the contents of F.I.R., it transpires that the dispute occurred between the parties are basically for the purpose of land. He further submits that from the contents of F.I.R, it become crystal clear that there is nothing specific against anyone, rather all the allegations against the petitioners and others are general and omnibus. He also submits that for the same date and place of occurrence there were two criminal cases filed, one criminal case was filed by the informant side i.e. Kochas P.S. Case No.57 of 2023 whereas the another criminal case was filed from the petitioners' side i.e. Kochas P.S. Case No.58 of 2023. Learned counsel submits that injury has been caused from both the sides. The injury report is annexed as Annexure-3 in which the petitioners tried to show that all the injuries are simple in nature. He further submits that antecedent of petitioners are clean.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that one injury of the informant is grievous in



nature but he submits that for the same occurrence there are case and counter case from both the sides and dispute is basically due to land.

6. In the present facts and circumstances, 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.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Kochas P. S. Case No.57 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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