

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55745 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -SANGRAMPUR District- EAST CHAMPARAN (MOTIHARI)

- =====
1. Ramakant Singh, Son of Satya Deo Singh,
 2. Chanda Devi Wife of Ramakant Singh, Both are Residents of Village- Parsauna, P.S.- Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-09-2018

Heard learned counsel for the petitioners; learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioners apprehend arrest in Sangrampur P.S.
Case No. 105 of 2018 dated 11.06.2018 instituted under Sections
341/323/324/325/379/307/427 and 504 of the Indian Penal Code.

3. The petitioners along with one other person are alleged
to have assaulted the informant. Against the petitioner no. 1, specific
allegation is of assault by *Lathi* on the hand whereas against the
petitioner no. 2 of assault on the back. The other co-accused, who is
not a petitioner, is said to have inflicted *Farsa* blow on the head.

4. Learned counsel for the petitioners submitted that the
petitioner no. 1 is the brother in law of the informant and the



petitioner no. 2 is the sister of the informant and there was land dispute as the father of the petitioner no. 2 had died leaving some land which was not being divided and their share was not being given by the informant and her husband. It was submitted that the injury on the husband of the petitioner has been found to be lacerated wound on right side of forehead and diffused swelling and pain in the back and, thus, except for pain in the back, the other two injuries are attributed to the other co-accused.

5. Learned A.P.P. and learned counsel for the informant submitted that the accused had forcibly tried to occupy the land of the informant and her husband and also destroyed paddy and further that the specific allegation of assault on hand resulted in fracture for which the husband of the informant was admitted for 12 days in the Patna Medical College and Hospital.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, let the petitioner no. 2 (Chanda Devi) be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, XIVth, East Champaran at Motihari in Sangrampur P.S. Case No. 105 of 2018, subject to the conditions laid



down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The prayer for anticipatory bail of petitioner no. 1 (Ramakant Singh) stands rejected.

(Ahsanuddin Amanullah, J)

P. Kumar

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