

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15200 of 2015

Arising out of PS.Case No. -6 Year- 2015 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Manoj Yadav S/o Shambhu Yadav.
2. Aniruddha Yadav S/o Late Bunela Yadav.
3. Hakim Yadav S/o Late Bunela Yadav All Resident of Village Magorahiya, P.S. Gopalpur, District West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Amarendra Nath Verma, Advocate.
For the Opposite Party : Mr. Yogendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-06-2015 The petitioners are languishing in custody since 14.01.2015 in connection with Gopalpur P.S. Case No. 06 of 2015 for the offences instituted under Sections 147, 148, 149, 323, 324, 307, 379 of the I.P.C. Later on, Section 302 of the I.P.C. was also added.

Heard learned counsel for the petitioners, informant and learned counsel for the State.

The prosecution story, in brief, is that on 14.01.2015 at about 11.00 A.M. the same day, as asbestos-sheet was being laid over the newly erected walls by the informant party on their leased land, the co-accused Rajendra Yadav came and demanded another land in lieu of that land for allowing the constructions and as the



informant's father came, Shambhu Yadav made a demand of rupees five lacs which was refused on the ground of incapability. Then, all the accused persons came armed with Lathi, Spear, rod and started assaulting the informant-party. Rajendra Yadav assaulted the informant's father on head causing bleeding from his ear, followed by his falling down unconscious on the floor. Shambhu Yadav started assaulting on head with the rod. Hakim Yadav assaulted the informant's brother on head with Lathi resulting in his falling down unconscious when Anirudh Yadav assaulted on head with spear. Manoj, Surendra and Ramashish assaulted the informant with Lathi and spear as he became alone. Then, Hakim snatched golden chain, Anirudh snatched wrist-watch and Manoj snatched forty thousand rupees cash amount from the informant's brother. Ramashish Yadav pulled down the entire wall. The neighbours assembled on hulla and took them to hospital.

It has been submitted on behalf of the petitioners that there is an admitted land dispute between the parties and already 144 Cr. P.C. proceeding is pending between the parties. The entire occurrence is said to have taken place due to said land dispute and ultimately culminated into the present occurrence. It has further been pointed out that the injury report which is Annexure-2 to the

present application indicates that the injuries caused by the petitioners are simple in nature. Further it is submitted that the petitioners are in custody since 14.01.2015.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, in connection with Gopalpur P.S. Case No. 06 of 2015.

U.K./-

(Sudhir Singh, J)

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