

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42719 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -GOVINDPUR District- NAWADA

- =====
1. Niwas Kumar, Son of Rameshwar Yadav.
 2. Deonandan Yadav.
 3. Ramkeshar Yadav.
- Both Sons of Mathura Yadav.
All residents of Village - Bhawanpur, P.S. - Govindpur, District -
Nawada.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioners : Mr.
For the State : Mr.
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 12-10-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with
Govindpur P.S. Case No.69 of 2015 registered under Sections 341,
323, 379,307 and 504/34 of the Indian Penal Code.

The prosecution case is that the father of the informant
gave him Rs.20,000/- to pay the contractor, who was constructing
his house, and, thereafter, when the informant was going to give
the same to the contractor, in the way, all the petitioners
surrounded the informant and petitioner no.1, assaulted him with

butt portion of the pistol, petitioner no.2 assaulted him with danda and took Rs.20,000/- from his pocket and petitioner no.3, took his gold chain from his neck besides a titan watch from his hand.

Learned counsel appearing on behalf of the petitioners submits that the petitioners and the informant are co-villagers and there is political rivalry in between the petitioners and the father of the informant, due to that reason, Govindpur P.S. Case No.37 of 2006 was instituted against the petitioner nos.2 and 3 by the father of the informant in which petitioner nos.2 and 3 have been acquitted on 03.01.2012 and Govindpur P.S. Case No.52 of 2004 was instituted by the father of the informant against he petitioner nos.2 and 3 in which they have also been acquitted on 26.02.2010 and only to harass the petitioners, this false case has been lodged by the informant. It is further submitted that there is specific case of the informant that the petitioner no.1 was armed with pistol but no occasion arisen for the petitioner no.1 to cause firearm injury to the informant rather the informant was assaulted by the butt portion of the pistol and the injuries caused to him are simple in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks, be enlarged on bail on their

furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Govindpur P.S. Case No.69 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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