

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52035 of 2015**

Arising Out of PS.Case No. -118 Year- 2015 Thana -MOHIUDDIN NAGAR District-  
SAMASTIPUR

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1. Ram Pragdas Mochi S/o Gopi Mochi  
2. Rajdeo Ram S/o Gopi Mochi  
3. Rajbali Ram S/o Gopi Mochi  
4. Rambaju Ram S/o Mangal Mochi  
5. Gopi Ram S/o Late Balchand Mochi null  
6. Ramji Ram S/o Mangal Mochi  
7. Ravindra Ram S/o Ramji Ram  
8. Sobodh Ram S/o Rampragas Mochi All of Village Raja Jan PS.  
Mohiuddin Nagar Dist. Samastipur, Bihar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Nand Shukla

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      17-12-2015                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in connection with  
Mohiuddin Nagar P.S.Case No. 118 of 2015 for the offences  
alleged under Sections 147, 148, 149, 341, 323, 324,307, 504 of  
the Indian Penal Code.

The prosecution case, in brief, is that on 02.07.2015 at  
about 10 P.M. when the informant was returning from Village  
feast he saw that the petitioner nos. 1 to 4 were installing a Jhopri  
in the vacant land of the informant and on protest petitioner nos. 1



to 4 attacked and assaulted him with Hasua, Farsa and Khanti due to which he sustained head injury. The further prosecution story is that petitioner nos.5 to 8 and four others armed with Gandasa, Talwar, Iron rod and Hasua also reached on the spot and assaulted the informant and his nephew Rajkumar Singh and one Ramu Kumar Singh due to which they sustained head, eye and leg injuries. It is further alleged that petitioners, namely, Gopi Ram and Rampragas Mochi instigated other accused to set the Jhopri on fire.

It has been submitted by the learned counsel for the petitioners that the allegations against the petitioners are general and omnibus and the injury sustained by the informant is simple in nature. It has further been submitted that a counter case has been filed by the wife of petitioner no.1 bearing Mohiuddin Nagar P.S. Case No. 138 of 2015 for that occurrence on the same date and time against the informant. Furthermore, it has been submitted that the petitioners and informant are co-villagers and due to land dispute altercation took place between the petitioners and the informant. It is further submitted that all the petitioners have clean antecedent, as is evident from para 3 of the petition.

Be that as it may, let the petitioners, above named, in the event of their arrest/surrender before the court below within

a period of six weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Samastipur, in connection with Mohiuddin Nagar P.S.Case No. 118 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

**(Nilu Agrawal, J)**

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