

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56898 of 2015

Arising Out of PS.Case No. -226 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

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1. Mukhdeo Prasad son of Late Raghubansh Prasad
 2. Vijay Kumar son of Mukhdeo Prasad
 3. Arvind Prasad son of Mukhdeo Prasad
 4. Nagendra Prasad son of Mukhdeo Prasad
 5. Ashok Prasad son of Pashupatinath Prasad
 6. Binod Prasad son of Late Hardeo Prasad

All resident of Village- Allapur, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Anil Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

The prosecution case is that on 07.10.2015 the informant found Mukhdeo Prasad, Vijay Kumar, Arvind Prasad and Vinod Prasad digging foundation on the land of the informant. When he made protest then petitioner no. 4 Nagendra Prasad, petitioner no. 5 Ashok Prasad and



co-accused Pradeep Kumar started assaulting the informant. On the order of Mukhdeo Prasad, Vijay Kumar inflicted farsha blow, causing head injury to the informant. When he fell down, then Binod Prasad assaulted with spade, causing injury on the eye of the informant. When the son of the informant Akhilesh Kumar came to rescue, all the accused persons assaulted with lathi. Co-accused Pradeep Prasad snatched gold chain from the neck of his son. When his elder uncle came to rescue, all the accused persons assaulted him.

It is submitted by the learned counsel for the petitioners that injuries have been found superficial and simple in nature. For the occurrence of 07.10.2015 First Information Report was registered on 11.10.2015. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the accusation in the background of land dispute, delayed lodging of the First Information Report and nature of injuries, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 226 of 2015, subject

to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)