

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2161 of 2015

Arising Out of PS.Case No. -81 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Suresh Yadav
 2. Dhrup Yadav @ Dhrup Dev Yadav
 3. Ghuran Yadav @ Ghurandhar Yadav
 4. Manoj Yadav
 5. Sant Yadav
 6. Prem Chandra Yadav
 7. Chokat Yadav
 8. Hira Yadav
 9. Thag Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.2439 of 2015

Arising Out of PS.Case No. -81 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Madan Yadav
 2. Tapsi Yadav
 3. Chandrama Rai @Chandrama Yadav
 4. Ram Pravesh Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.2161 of 2015)

For the Petitioner/s : Mr. Arun Kumar Pandey

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(A.P.P.)

(In Cr.Misc. No.2439 of 2015)

For the Petitioner/s : Mr. Arun Kumar Pandey

For the Opposite Party/s : Mr. Subhash Chandra Mishra (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

03 23-04-2015

Heard learned counsel for the petitioners as well as learned

Additional Public Prosecutor.

Criminal Miscellaneous No.2161 of 2015 wherein altogether

nine persons have been named as petitioners, out of whom, petitioners Manoj Yadav and Hira Yadav have been apprehended, on account thereof, the learned counsel for the petitioners seeks withdrawal on their behalf and accordingly, the said petition is found dismissed as withdrawn relating to them.

Cr. Misc. No.2161 of 2015 as well as Cr. Misc. No.2439 of 2015, commonly originate out of Adapur P. S. Case no.81 of 2014 and on account thereof, there happens to be analogous hearing.

Learned counsel for the petitioners seeks withdrawal of Cr. Misc. NO.2439 of 2015 to enable the petitioners to avail the opportunity of regular bail, the same is dismissed as withdrawn. In similar way, the learned counsel for the petitioners also seeks withdrawal of Cr. Misc. No.2161 of 2015 relating to petitioner Suresh Yadav of and on account thereof, Cr. Misc. NO.2161 of 2015 relating to petitioner Suresh Yadav is held dismissed as withdrawn.

Now, Cr. Misc. No.2161 of 2015 survives relating to petitioners Dhrup Yadav @ Dhrup Dev Yadav, Ghuran Yadav @ Ghurandhar Yadav, Sant Yadav, Prem Chandra Yadav, Chokat Yadav and Thag Yadav.

As per narration of the written report filed by the informant Jitendra Rai, it is evident that some sort of land dispute was there since before and on account thereof, on getting information through Mahesh Yadav that Madan and Tapsi Yadav are showing land to the Panches, he along with his father rushed to the plot where there happens to be specific disclosure regarding assault over the person of informant, Ramadhar, Narendra, Amrendra, Ram Baks Rai, Surendra, Shiv Chandra Rai. It is also apparent from the injury report of the respective injured that Ramadhar and Narendra

only have sustained grievous injury and for that, none of these petitioners are responsible.

That being so, petitioners Dhruv Yadav @ Dhruv Dev Yadav, Ghuran Yadav @ Ghurandhar Yadav, Sant Yadav, Prem Chandra Yadav, Chokat Yadav and Thag Yadav are directed to be surrender before the learned lower Court with a prayer for bail which, the learned lower Court will consider in light of specific finding with regard to injuries having over person of informant Jitendra Rai, Amrendra, Ram Baks, Surendra, Shiv Chandra Rai simple in nature and for that, the petitioners could be held responsible, at the present moment.

With the aforesaid finding, instant petition is disposed of.

Vikash/-

(Aditya Kumar Trivedi, J)

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