

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4702 of 2015

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Mukesh Pandey son of Shailesh Pandey
Sudhir Pandey son of Sampat Pandey

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 04-02-2015

Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Khaira Police Station Case No. 116 of 2014 registered for the
offences punishable under Sections 147, 148, 341, 323, 324, 354,
379, 307 of the Indian Penal Code.

The allegation against the petitioner no. 1 is that he
gave *Barchi* blow to Maya Shankar causing injury on his head but
injury report of Maya Shankar reveals that he sustained lacerated
wound, which is said to be caused by hard and blunt substance and
simple in nature. So far as, petitioner no. 2 is concerned, it is
alleged that he gave Dab blow causing injury on the head of the
informant. No doubt, he has sustained incised wound on his
temporal region, which is said to be caused by sharp cutting

weapon but the aforesaid injury was also found simple in nature.

Learned counsel appearing for the petitioner submits that on the alleged date of occurrence it was prosecution party who badly assaulted the petitioners and others for which Khaira P.S.Case No. 112 of 2014 was lodged and as a matter of fact, persons from both the sides sustained injuries.

Considering the aforesaid facts and circumstances of the case and also taking note of this fact that the alleged occurrence took place on account of land dispute, let the petitioners, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Chapra, Saran in Khaira P.S. Case No. 116 of 2014. subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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