

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30205 of 2016

Arising Out of PS.Case No. -262 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Raj Bansh Ram son of Shiv Kumar Ram
 2. Rajendra Ram son of Late Lalu Ram
 3. Mekhur Ram son of Butan Ram
 4. Ravindra Ram son of Shiv Kumar Ram
 5. Sonu Ram Son of Rajbansh Ram
 6. Ramesh Ram son of Rajendra Ram
- All resident of Village Anantpur, P.S. Bhabua, Distt- Kaimur at Bhabua.
7. Nandlal Ram son of Raj Bansh Ram
 8. Alok Ram son of Raj Bansh Ram
 9. Sunil Ram son of Raj Bansh Ram
 10. Moti Ram son of Shankar Ram
 11. Faujdar Ram son of Ramkrit Ram
 12. Aganu Ram son of Dhuna Ram
 13. Prem Ram son of Raj Awadh Ram
 14. Bhikhari Ram Son of Ram Bachan Ram
 15. Mohan Ram son of Sujan Ram
 16. Deena Nath Ram son of Ram Pujan Ram
 17. Mukesh Kumar son of Nachak Ram
 18. Dasami Ram son of Nachak Ram,
- All resident of Village Ruppu, P.S. Bhabua, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate.

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-09-2016 Heard both sides.

The petitioners, 18 in number, apprehend their arrest in Mohania P.S. Case No. 262/2016, G.R. No. 1340/16 registered under Section 307 and other sections of the Indian Penal Code.

The informant Manoj Kumar Singh named 18 persons and alleged that they all brutally assaulted the informant,



Saroj Singh, Jay Prakash Singh and Shyam Raj Singh on account of some altercation which took place due to petty dispute. It is submitted that there is a counter-case also. Three persons from the side the informant got injuries although five persons from the side of the petitioners got injuries. The informant Manoj Kumar Singh got three injuries, out of which two injuries are simple in nature and the third injury is opined by the doctor to be grievous in nature on account of fracture of radius bone of right forearm. Saroj Singh, Shyam Raj Singh and Jay Prakash Singh got injuries which are simple in nature. The injured persons from the side of the petitioners also sustained injuries which are simple in nature.

Learned counsel for the informant as well as learned A.P.P. has, however, opposed the prayer for anticipatory bail.

It appears that there is a mutual mar-pit between the two sides and persons of both sides got injuries.

Considering the facts that from both sides there was a mutual scuffle and assault was made in which five persons from the side of the petitioners and three persons from the side the informant were injured and except the informant who got one grievous injury on account of fracture of radius bone of his right forearm, the other two persons from the side of the informant got simple injuries, the above named petitioners, in the event of their

arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Kaimur at Bhabua in Mohania P.S. Case No. 262/2016, corresponding to G.R. Case No. 1340/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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