

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47054 of 2016

Arising Out of PS.Case No. -233 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Man Mohan Keshari @ Mohan Rai
 2. Jitendra Rai
 3. Dhura Rai All are son of Anirudh Rai
 4. Mithilesh Rai S/o Padarath Rai
 5. Sanni Rai @ Sunni Rai S/o Mohan Rai
 6. Ram Pal Rai @ Ram Fal Rai S/o Parichand Rai All are resident of Village- Bajitpur Saidat, Police Station- Bidupur, in the district of Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bidupur P.S. Case no. 233 of 2016, registered under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 14.08.2016 at about 11.00 A.M. the informant Ishwar Dayal Bhagat was constructing hut in the meantime, Madan Rai came armed with pistol and started to abuse him claiming that the said land belongs to him due to that reason hot talks were exchanged. In the meantime, petitioners and one Pankaj Rai also reached there armed with lathi, stick, hasua etc. and started assaulting to informant and others, when they tried to flee away then Madan Rai



fired through his pistol causing injury to the left forearm of mother of the informant.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that there is general allegation to cause injury to the informant, but no any injury was found on the person of the informant. There is specific allegation against Madan Rai, who caused injury through fire arm to the mother of the informant. Further submission is that, in fact, the land on which the informant was erecting the hut was purchased by the petitioner No.4 and mother of Madan Rai in the year 1976 from father of the informant and they are in possession, but informant wants to grab the said land due to that reasons, hot talks were exchanged between the parties.

Having regard to the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 233 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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