

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57418 of 2015

Arising Out of PS.Case No. -263 Year- 2015 Thana -MASRAKH District- SARAN

- =====
1. Nanhak Ray, son of Vokil Ray
 2. Munendra Ray @ Murendra Ray
 3. Narendra Ray

All are sons of Yogendra Ray, All are resident of Village- Padmaul, P.S.
Mashrakh, Distt- Saran.

.... 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. Aditya Nr. Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The petitioners apprehend arrest in connection with
Mashrakh P.S. Case No. 263 of 2015 registered for offences
punishable under Sections 341/323/324/307/504/34 of the Indian
Penal Code.

The prosecution case is that on 29.08.2015 at about 11 A.M.
while the informant was going in his she-buffalo he was
intercepted by his Pattidar Nanhak Rai who stopped the informant.
When the informant objected Munendra Rai assaulted him with
Rod causing injury on his head and when Prabhu Rai, the
informant's brother tried to save the informant, he was assaulted
by Narendra Rai and Nanhak Rai with Farsa and Lathi.

It has been submitted by counsel for the petitioners that the
petitioners are innocent and have no criminal antecedent as is

evident from paragraph No. 3 of this petition. It has further been submitted by the counsel for the petitioners that the informant and the petitioners are Pattidars and there is long standing land dispute between the parties and there is a counter case lodged by the father of the petitioner (Nanhak Ray) bearing Mashrak P.S. Case No. 264 of 2015. Furthermore, it has been submitted that no case under Section 307 of the Indian Penal Code is made out against these petitioners and the injury is with regard to only the informant and there is no injury on the body of Prabhu Rai.

It is submitted that even in the injury report and the supplementary injury report which has now come shows injury No. 1 and 3 the injury on the informant as simple in nature i.e. all the injuries are simple in nature.

Be that as it may, let the abovenamed petitioners in the event of their arrest / surrender within a period of eight weeks from today before the Court below be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Chapra, Saran in connection with Mashrakh P.S. Case No. 263 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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