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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44275 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -DELHA District- GAYA

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1. Babulal Singh, Son of Late Rambalak Prasad Singh.
2. Rahul Kumar, Son of Babulal Singh.
3. Nagendra Prasad Singh @ Narendra Kumar Singh @ Nagendra Prasad, son of Late Rajeshwar Singh
4. Sonu Kumar, Son of Nagendra Prasad Singh @ Narendra Kumar Singh @ Nagendra Prasad.

All Residents of Mohalla- Bairagi, C.B.I. Colony, P.S.-Delha, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

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2 22-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Delha P.S. Case No.127 of 2016 registered under Sections 341, 323, 308, 379 and 504/34 of the Indian Penal Code.

The allegation of the informant Sangram Singh is that there is dispute regarding the landed property in between his family since 20 years. On 02.07.2016 at about 10.00 A.M., his brother Jai Ram Singh came to the house and went to wash his face at the hand-pump. At that time, his uncle Babulal Singh

(petitioner no.1) came and asked him to move from there, who told him that he will move from there after washing the face. Thereafter, his uncle Babulal Singh (petitioner no.1) caught hold of the neck of his brother Jai Ram Singh, who started raising alarm. When the informant rushed to save his brother Jai Ram Singh, then his another uncle Raju Singh, Rahul Kumar (petitioner no.2) and Rohit Kumar, Renu Mala Singh and Dimpi Kumari, the sons, wife and daughter respectively of Babulal Singh (petitioner no.1), Sonu Kumar (petitioner no.4), Nagendra Prasad (petitioner no.3) and Sarita Devi, the aunt (Phua) of the informant, came there and started to cause assault to his brother Jai Ram Singh, his mother Radhika Devi and his wife. At that time, they also snatched the gold chain of the informant, the payal and other gold ornaments of the wife of the informant and also looted the households articles from the house of the informant.

Learned counsel appearing on behalf of the petitioners submits that, the petitioners and five others are named in the F.I.R. with the allegation of causing injuries to the brother, mother and wife of the informant but, admittedly, the petitioners are Pattidars of the informant and due to land dispute, the occurrence took place between the parties in course of which, Renu Mala Devi, the wife of the petitioner no.1 Babulal Singh, received grievous injury on

her person regarding which Delha P.S. Case No.126 of 2016 under Sections 341, 323, 324 and 307/34 of the Indian Penal Code was instituted on the basis of the written report of the petitioner no.1 Babulal Singh against the informant and his brother Jai Ram Singh. Moreover, the injuries, as found on the person of Jai Ram Singh, the brother of the informant, are simple in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Delha P.S. Case No.127 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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