

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57833 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mahesh Prasad
 2. Ramji Prasad Both sons of Late Jokhu Prasad
 3. Rakesh Prasad son of Ramji Prasad All residents of Village - Mathiya,
P.S. - Kesariya, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-01-2016

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

Petitioners apprehend their arrest in connection with
Kesariya P.S. Case No. 71 of 2015 registered for offences
punishable under Sections 341,323,324, 307, 427, 379, 504/34 of
the Indian Penal Code.

As per the written report of the informant dated
04.04.2015 submitted before the Officer-in-charge, Kesariya P.S.,
the allegation against the petitioners is that while father of the
informant was sitting at his door, petitioners came there and
started abusing and assaulted him by means of lathi-danda and dab
causing injury. It is further alleged that petitioner no.3 snatched

Rs. 15,000/- from the pocket of the informant's father.

It has been submitted by the counsel for the petitioners that both, the petitioners and the informant are agnates and due to previous enmity relating to land dispute, petitioners have been falsely implicated in the present case. It has further been submitted that since the injury has been found to be simple in nature, offence under Section 307 of the Indian Penal Code is not made out. It has also been pointed out by the learned counsel for the petitioners that a counter case has also been filed by petitioner no.2, bearing Kesariya P.S. Case No. 75 of 2015.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesariya P.S. Case No. 71 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

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