

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26339 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

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1. Rajballabh Prasad, Son of Late Laldev Yadav
2. Manish Kumar
3. Rajeev Kumar
Both Sons of Rajballabh Prasad
4. Radhika Devi, Wife of Rajballabh Prasad
All resident of village- Chaurama Tola, P.S.- Khudaganj, District- Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar,
Mr. S. Prakash, Advocates
For the State : Ms. Asha Devi, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-07-2016 Learned counsel for the petitioners seeks leave to

withdraw this application so far as petitioner no.2 is concerned to

surrender and seek regular bail before the court below.

Accordingly, this application is dismissed as

withdrawn, as against petitioner no.2, with the aforesaid liberty.

Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case filed

under Sections 341, 323, 325, 308, 379, 504 and 506/34 of the

Indian Penal Code.

It is contended on behalf of the petitioners that the

informant's side and the petitioners are agnates and there is a land

dispute between them. It is further contended that there is a case and counter case between the parties.

It is contended on behalf of the State that though counter case is there but there is no allegation that injury has been sustained by the petitioner's side whereas the informant has sustained injury and injury on elbow is grievous in nature. However, so far allegation of assault upon Sunil Kumar by Farsa upon petitioner no.3 is concerned, it has been contended that Sunil Kumar has not received any injury by a sharp cutting weapon rather the same has been caused by hard and blunt substance which is simple in nature

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Khudaganj P.S. case no.47 of 2016, the petitioner nos.1, 3 and 4, Rajballabh Prasad, Rajeev Kumar and Radhika Devi respectively shall be released on bail on furnishing bail bonds of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Hilsa, Nalanda subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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