

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23256 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -KAMTAUL District- DARBHANGA

Radhey Yadav son of Bhag Narayan Yadav resident of village -
Bhamarpura, P.S. - Jale, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.23273 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -KAMTAUL District- DARBHANGA

Nathuni Yadav, son of Late Jausi Yadav, Resident of Village Khajurwara,
P.S. Kamtaul, Dist. Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.23256 of 2016)

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

(In Cr.Misc. No.23273 of 2016)

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and counsel
for the State in both the cases.

The prosecution case is that on 6.2.2016 at 4 P.M., all
the named 25 accused persons including the petitioners armed
with various weapons arrived at the house of the Informant and



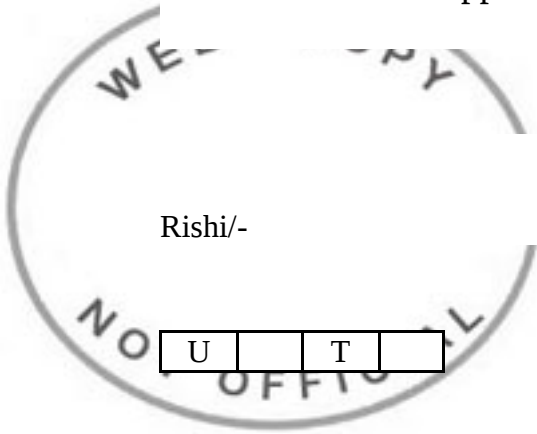
started abusing the Informant by calling caste name and asked them to vacate the land. The accused persons started setting the house of the Informant on fire. On protest being made, Leela Devi, Rekha Devi and Guriya Devi were badly assaulted and looted the house articles when co-accused Radhe Yadav made an attempt to outrage the modesty of the Informant. On protest being made, the co-accused Shankar Sada caused fracture injury to the Informant.

Learned counsel for the petitioners has submitted that in the background of land dispute, accusation has been levelled and earlier also for similar nature of offences, a case was lodged by the Informant side. The Informant side claiming the land by virtue of ceiling proceeding declared in his favour. In face never any ceiling proceeding was initiated with regard to the land, in question. The injury on the Informant side has been found to be simple and superficial in nature.

Considering the genesis of the occurrence, it is a case for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Kamtaul P.S. Case No. 15 of 2016, pending in the Court of learned Judicial Magistrate, 1st Class, Darbhanga.

With the aforementioned observation, both the applications stand disposed of.



(Dinesh Kumar Singh, J)