

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38726 of 2016

Arising Out of PS.Case No. -448 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pappu Kumar, son of Rameshwar Prasad.
 2. Sikandar Rai @ Sikandar Yadav, son of Late Jammu Rai.
 3. Akinder Rai Yadav @ Akinder Rai alias Akinder Yadav, son of Jamu Raj.

All are resident of village Miscot, P.S. Town Motihari, District East Champaran, Motihari.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioners : M/s. Sharda Nand Mishra, Viveka Nand Jha &
Rajiv Ranjan, Advocates.

For the State : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Motihari Town P.S. Case No.448 of 2016 registered under
Sections 341, 323, 324, 307, 506 and 504/34 of the Indian Penal
Code.

The accusation is that on 12.07.2016 at about 03.45 P.M.,
when the informant was cutting the grass in the field, then the
petitioners alongwith their 8-10 unknown associates variously
armed reached there and started to abuse the informant. When the

informant made protest, then the petitioner no.2 Sikandar Rai alias Sikandar Yadav, ordered the petitioner nos.3 and 1, to kill him and, thereafter, petitioner no.3 Akinder Rai Yadav alias Akinder Rai alias Akinder Yadav assaulted the informant through knife on his neck whereas petitioner no.1 Pappu Kumar and petitioner no.2 Sikandar Rai alias Sikandar Yadav assaulted him through Farsa on his head, due to which the informant sustained grievous injuries.

Learned counsel appearing on behalf of the petitioners submits that the occurrence of “Maar-Peet” took place between the parties regarding which on the basis of the written report of the petitioner no.1 Pappu Kumar, Motihari Town P.S. Case No.444 of 2016 under Sections 341, 323, 384 and 504/34 was instituted on 10.07.2016 against the informant and his family members and due to that reason, only to put pressure upon the petitioners, the present case has been lodged by the informant against the petitioners on 12.07.2016. Moreover, the three injuries, as found on the person of the informant, are simple in nature, caused by sharp cutting object.

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, East Champaran, Motihari, in connection with Motihari Town P.S. Case No.448 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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