

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 27452 of 2016

Arising out of P.S. Case No. - 8 Year - 2016 Thana - KOTHI District - GAYA

- =====
1. Parvesh Yadav,
 2. Sunil Yadav,
 3. Budeshwar Yadav, All Sons of Makhan Yadav, resident of village - Sobri, P.S. - Kothi, District - Gaya

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party : Mr. Sri Satyavarat Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

The accusation against petitioners is that they along with other FIR named accused were ploughing the field of the informant and when informant forbade them to do so petitioner no. 2 and two other FIR named accused persons started assaulting the informant and one Santosh Ram as a result whereof both the aforesaid persons sustained injuries on various parts of their body. So far as petitioner no. 1 and 3 are concerned, it is alleged that they assaulted injured Vishundeo Yadav and Satya Narayan Yadav.

From perusal of case diary, I find that the Investigating Officer has incorporated the injury reports of injured Satyendra Prasad Yadav, Santosh Ram, Satya Narayan Yadav Bishundeo Kumar and Manoj Ram at para 43, 44, 45, 46 and 47 respectively.

All the aforesaid injured sustained injury on various parts of their body. The injury of some injured were found dangerous to their lives.

Submission on behalf of the petitioners is that there is counter case i.e. Kothi P.S. Case No. 09 of 2016 and, as a matter of fact, on the alleged date of occurrence prosecution party being armed with deadly weapons came there and tried to take forcible possession of land of petitioner no. 2 and after that a free fight took place between both the parties. It is further submitted that persons from both the sides sustained injuries.

Considering the facts aforesaid as well as this aspect of the matter that the alleged occurrence took place on account of land dispute and petitioners are languishing in jail custody since 20.03.2016 without having any criminal antecedent, let petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati at Gaya in connection with Kothi P.S. Case No. 08 of 2016.

(Hemant Kumar Srivastava, J.)

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