

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41150 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -MEHANDIA District- JEHANABAD

1. Moti Lal Yadav Son of Sohrai Yadav
2. Raj Kumar Yadav Son of Moti Lal Yadav
3. Krishna Yadav @ Bhim Yadav Son of Moti Lal Yadav All residents of village - Terikaran Bigha, P.S. - Mehandiya, District - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Sinha

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-10-2016

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under section 307 and other allied sections of the Indian Penal Code.

The informant alleged that Moti Lal Yadav and his wife Radha Devi came at the door of the informant and started abusing informant and his family members. On protest Radha Devi caught hairs of sister-in-law of the informant and put her down on the ground and asked the other members of her family to bring lathi upon which Raj Kumar Yadav, Krishna Yadav alias Bhim Yadav, Rubi Devi, Sangita Devi also came there having stick in their hands and they gave assault to his sister-

in-law and niece Soni Kumari. In course of scuffle the accused persons snatched gold ear ring and nose pin from the sister-in-law of the informant. When the informant came, all the accused persons also assaulted him.

Learned counsel for the petitioners submits that Ramanand Singh and Moti Lal Yadav are own brothers. There is land dispute between both the parties. Informant Arjun Kumar is the son of Ramanand Yadav. Partition of land was held by Panchaiti. He has further submitted that the sister-in-law and the niece of Arjun Kumar are alleged to have been assaulted by the petitioners, but there is no injury on their persons. Informant Arjun Kumar received three injuries out of which one is said to be caused by sharp edged object and is opined to be grievous. Other injuries are simple in nature. The petitioners are not alleged to be armed with any sharp cutting weapon but one of the injuries found on the person of Arjun Kumar, which is said to be grievous, is caused by sharp cutting weapon. Neither the informant nor any body disclosed in course of investigation as to who caused sharp cut injury on the head of the informant.

Considering the facts aforesaid and also the fact that there is land dispute between both the parties and the petitioners are agnates of the informant, the

petitioners above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/communication of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Mehendiya P.S. Case no. 56 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Amin/-

(Prabhat Kumar Jha, J)

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