

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11109 of 2016

Arising Out of PS.Case No. -269 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. Lalan Upadhaya Son of Late Rambilas Upadhaya.
 2. Manoj Upadhaya Son of Late Rambilas Upadhaya both are resident of Village- Shivdaha, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Section 307 and other allied Sections of the Indian Penal Code.

It is alleged that on 1.10.2015 at 9 A.M. informant called a Panchayati for setting the land dispute. In the meantime petitioners started abusing the informant and on protest petitioner no.1 inflicted knife blow on informant causing cut injury on his nose. When the daughter of the informant came to save her father, Manoj Upadhyay stabbed on her head and when the brother of the informant came to save them, Shatrughan Upadhyaya gave knife blow on his head. It is further alleged that Roshan Kumar assaulted with lathi.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case between the parties From perusal of injury report it appears that the nature of injury is simple and hence no offence u/s 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the FIR and they have actively participated in the occurrence.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in Gaighat P.S.Case No. 269 of 2015,subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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