

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27447 of 2016

Arising out of PS.Case No. -124 Year- 2016 Thana -MUFFASIL District- WEST
CHAMPARAN(BETTIAH)

1. Bali Prasad, Son of late Prakash Bhagat.
2. Thag Prasad, Son of late Prakash Bhagat.
3. Mishri Prasad @ Mishrai Prasad, son of late Prakash Bhagat. All are residents of Village- Chhotaka Barwat Pasrayeen Police Station-Bettiah Mufassil, District-West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, A.P.P.

For the Opposite Party : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bettiah Mufassil P.S. Case No. 124 of 2016 for the offences instituted under Sections 147, 341, 323, 324, 307, 379 and 504 of the IPC.

The prosecution story, in brief, is that on 18.03.2016 at about 11.30 A.M. the informant was at his door. In the meantime, petitioners and co-accused persons variously armed with deadly weapon came at his door and started abusing and when the informant made protest then the petitioner Bali Prasad inflicted

iron-rod blow on the head of the informant with an intention to kill him but the blow hit on his cheek due to which he sustained injury and blood started oozing. When his brother Subodh Yadav and Suresh Yadav came to save him then the petitioner Mishari Yadav inflicted *Garasa* on the head of Suresh Yadav due to which Suresh Yadav sustained head injury on his head and thereafter Mishari Yadan snatched his gold chain worth rupees one lakh. Co-accused Balister Yadav assaulted Subodh Yadav on his left eye of bottle and caused him injury and thereafter co-accused Rupesh Yadav took out Rs. 3000/- from the pocket of informant. Meanwhile people of the vicinity assembled and thereafter accused persons fled away.

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. The injury on the side of the petitioners has not been explained by the prosecution.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bettiah Mufassil P.S.

Case No. 124 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)