

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1321 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -NARDIGANJ District- NAWADA

- =====
1. Satish Kumar Son of Umesh Prasad Yadav
 2. Kailash Prasad Yadav, Son of Ram Swarup Yadav, Both resident of village - Jagdishpur, P.S. - Nardiganj, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad

For the Opposite Party/s : Mr. Ambika Bhagat(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354(A), 307, 379, 504, 506, 34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that branch of Neem tree fell on the body of the wife of the informant and when protest was made by the wife of the informant, then petitioners started abusing when petitioner Satish Kumar assaulted with danda on the head of the informant and when family members made protest then aunt and sister-in-law of the informant was assaulted by the petitioners. It is also alleged that petitioner snatched rupees eight hundred of the wife of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been

levelled and the injury of the informant and the informant's wife have been found to be superficial, simple in nature. Admittedly the occurrence took place inside the house, hence, it can not be treated to be a place of public view and even assuming the accusation, no case under Section 307 I.P.C is made out.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Nardiganj P.S. Case No. 106 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Nawada.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--