

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40202 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -KHAJAULI District- MADHUBANI

- =====
1. Pulkit Rai Son of Bhagwani Rai,
 2. Sukan Rai Son of Bhagwani Rai, resident of Village- Rasidpur, P.S.-
Khajauli, District- Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend arrest in Khajouli P.S.Case
No.120 of 2016 for the offences alleged under Sections 341, 323,
354, 307, 379, 504 and 34 of the IPC.

The prosecution case is that there is dispute regarding
marking of boundary wall between the parties as a result of which
altercation took place and abused each other.

It has been submitted by learned counsel for the
petitioners that they are innocent and have falsely been implicated
in the aforesaid case. He submits that both the parties are
adjoining raiyats and the difference arose regarding marking of the
boundary wall of the land in question. He submits that no external

injury has been found on the informant's side being simple in nature and that the petitioners have no criminal history as is evidence from paragraph-3 of this application.

However, learned APP for the State submits that the petitioners are named in the FIR, hence, opposes the prayer for bail.

Be that as it may since injury has been found to be simple and that the petitioners have no criminal antecedent, let the above named petitioners in the event of their arrest or surrender before the learned court below within a period of eight weeks 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 Shri Vivek Vishal, J.M. Ist Class, Madhubani in connection with Khajouli P.S.Case No.120 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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