

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42341 of 2017

Arising Out of PS.Case No. -291 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Kishun Yadav, son of Late Ramdhani Yadav.
2. Gori Shankar Yadav,
3. Mukesh Yadav,
4. Dinesh Yadav, Petitioner Nos. 2 to 4 are sons of Kishun Yadav, All are residents of Village Mujauna, P.S. Alauli, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Alauli P.S. Case No. 291 of 2016, registered under Sections 341, 323, 504, 506, 307 and 379/34 of the Indian Penal Code.

The accusation is that, at about 2 P.M., on 01.12.2016, informant was engaged for constructing the boundary wall. At that time, petitioners reached there having Farsa, Dabia, iron rod and Lathi and started to abuse. When his nephew, Dipansu Kumar, made protest then Dinesh Yadav (petitioner no. 4) caused injury at the head of Dipanshu Kumar through Farsa. When co-villager, Sudin Yadav, came to pacify the matter then Mukesh Yadav (petitioner no.



3) gave Dabia blow at his head. Gaurishankar Yadav (petitioner no. 2) and Kishun Yadav (petitioner no. 1) started to cause injury to the informant through bricks. In the meantime, Gaurishankar Yadav (petitioner no. 2) snatched the gold chain from his neck.

Learned counsel for the petitioners submits that, in fact, occurrence took place due to land dispute, in which, petitioners' side also sustained injury, regarding which, Alauli P.S. Case No. 292 of 2016 is also instituted on the basis of written report of Gaurishankar Yadav (petitioner no. 2). Moreover, the injuries as found on the person of the informant and his nephew, are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 291 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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