

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17371 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -ISUAPUR District- SARAN

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1. Nagendra Rai @ Butan Rai, Son of Late Tapeswar Rai.
2. Rakesh Rai, S/o Chandrama Rai, Resident of Village- Mahuli, P.S.
Isuapur, Distt.- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mr. Umanath Mishra, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-07-2017 Heard both sides.

The petitioners apprehend their arrest in Isuapur P.S.
Case No. 5 of 2017 registered for the offences punishable under
Sections 447, 147, 148, 149, 341, 323, 324, 307, 379 and 504 of
the Indian Penal Code.

Rajendra Rai the informant named the petitioners along
with other accused persons and alleged that all the accused
persons came to his Darwaja and began to abuse. Nagendra Rai is
alleged to have assaulted the informant with iron rod on his head.
Rakesh Rai assaulted Arun Rai and Awadhesh Rai on their heads.

Learned counsel for the petitioners submits that there is
case and counter case. Isuapur P.S. Case No. 6 of 2017 is lodged
against the informant and others on behalf of the petitioners. On
account of some land dispute mutual assault took place between



the two sides. Rajendra Rai, Arun Rai and Awadhesh Rai got simple injuries as it appears from the Annexure-3 series.

Learned APP did not dispute this fact.

Having considered the facts that there is case and counter case and mutual assault made by both the sides in which Rajendra Rai, Arun Rai and Awadhesh Rai got simple injuries, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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, Saran at Chapra in Isuapur P.S. Case No. 5 of 2017, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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