

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18123 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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1. Devendra Prasad Son of Shri Ram Prasad @ Sri Ram Bhagat
2. Dhurendra Prasad Son of Sri Ram Pravesh Bhagat all Resident of
Village-Dhobwalia P.S.-Manjhagarh, Distt.-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-07-2017 Heard both sides.

The petitioners apprehend their arrest in Manjhagarh
P.S. Case No. 177/2016, registered for the offences punishable
under Section 307 and other sections of the Indian Penal Code.

Janak Prasad the informant in his fardbeyan alleged
that while he was keeping dung in his field, Jaiprakash Prasad,
Jitendra Prasad, Omprakash Prasad having armed with different
weapons came and assaulted him. Thereafter, the petitioner no. 1
Devendra Prasad is alleged to have assaulted Krishna Prasad with
Tangi on his head. Dhurendra Prasad petitioner no. 2 is alleged to
have assaulted Baijnath Sah with Tangi on his head.

Learned counsel for the petitioners submits that there



is counter version bearing Manjhagarh P.S. Case No. 176/2016. petitioner no. 1 Devendra Prasad is the informant. Krishna Prasad got simple injury. Baijnath Sah also got on incised wound which is simple in nature and complain of pain in chest, opinion with regard to which is kept reserved, the petitioners are not the author of the aforesaid injury. No apparent injury was found on the chest of Baijnath Sah. The petitioner no. 1 Devendra Prasad also sustained injuries.

Considering the facts aforesaid and the fact that on account of petty dispute for keeping dung, both sides entered into scuffle and mutual assault and the injuries caused by petitioners are opined to be simple in nature, 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 177/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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