

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57442 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -OBRA District- AURANGABAD

- =====
1. Mukhdeo Singh, S/o Ramadhar Singh.
 2. Raushan Kumar S/o Suryadeo Singh.
- Both R/o Village- Majhiawa, P.S.- Obara, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Obara P.S. Case No.124 of 2017 registered under Sections 147, 148, 149, 323, 324, 325, 326, 307 and 504 of the Indian Penal Code.

The accusation is that while the informant Siyaram Singh along with his two brothers, namely, Hari Prasad and Viswajeet Kumar, was doing the agricultural work in the field, he heard the sound of firing coming from towards his house. Thereafter, the informant and his brothers rushed to the house and saw that 10 persons, named in the F.I.R., including the petitioners and some



unknown having Bhala, Gadasa and lathi in their hands were damaging the Verandah of the house. When the informant made protest then they started to make firing. At that time, Praful Kumar, Prachanchal Kumar, Guddan Kumar and Gautam Kumar caused injury to Hari Prasad, the brother of the informant, through Gadasa. Praful Kumar and Prachanchal Kumar also caused blood oozing injury at the forehead of Viswajeet Kumar, the brother of the informant, through Gadasa and sword. At that time, the other accused also gave threatening to vacate the land otherwise they would be killed.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of 'Maar-Peet' took place in between the parties in which the petitioners' side also sustained injury regarding which on the basis of the written report of the co-accused Praful Kumar, the son of the petitioner no.1, Obera P.S. Case No.125 of 2017 was also instituted against the informant and his family members. Further submission is that while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on



bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Obera P.S. Case No.124 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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