

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.601 of 2017

Arising Out of PS.Case No. -46 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Diyali Kumar Yadav,
2. Sudhir Yadav @ Sachin Yadav @ Sudhir Kumar Yadav,
3. Shiv Kumar Yadav, All sons of Ram Swaroop Yadav,
4. Ram Swaroop Yadav, son of Mangru Yadav, All are resident of Village-
Lakrakol, P.S.- Pirpainty, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Pirpainty P.S. Case No. 46 of 2015 for the offences instituted under Sections 341, 323, 307, 379, 504, 506 and 324/34 of the IPC.

The prosecution story, in brief, is that while the sister of the informant, namely, Rina Devi, was returning to her house from Aanganwari Centre on 19.02.2015 at about 2.20 O' clock in the noon, by that time all the FIR named accused persons, started abusing her on account of previous land dispute which was going



on in between the parties, by that time his nephew Pappu Kumar Yadav, brother Gorakhnath Yadav and his daughter Khushubu Kumari also reached there then one Diyali Yadav assaulted on the head of the informant by means of Iron rod as a result of which his head was broken and one Sachin @ Sudhir Yadav assaulted the nephew of the informant, namely, Pappu Kumar Yadav, by means of Dabiya on his head as a result of which his head was also broken and blood started oozing then Ram Swaroop Yadav and Shiv Kumar assaulted his brother Gorakhnath Yadav and his daughter Khushubu Kumari as a result of which they have also sustained injuries on their persons and in course of altercation, ear-ring and Mangalsutra have been taken away by them and further they all threatened them for dire-consequences also.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is a case and counter case between the parties. Both parties are agnates. The matter has been compromised between the parties vide Annexure-3 to the present application.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the



petitioners above named, 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 in connection with Pirpainty P.S. Case No. 46/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

