

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.828 of 2017

- =====
1. Nagendra Singh, Son of Daroga Singh,
 2. Daroga Singh, Son of Late Rambarai Singh,
 3. Vikash Kumar, Son of Nagendra Singh,
 4. Bharteshwar Singh, Son of Late Bhagwan Singh, All residents of
Village – Say Kharauni, P.S. – Marhowrah, District – Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Harish Kumar, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-01-2017

Heard both sides.

The petitioners apprehend their arrest in Marhowrah P.S. Case No. 499 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

Suresh Singh, the informant, alleged that Daroga Singh executed sale deed with regard to the land falling in his share in the name of Nagendra Singh and when the informant enquired all the accused persons came having armed with different weapons. Nagendra Singh is said to have assaulted Mithilesh Singh, brother of the informant, with Pharsa on his head and Daroga Singh is alleged to have assaulted the informant with Dab.

Learned counsel for the petitioners submits that there is a counter version being Marhowrah P.S. Case No. 501 of 2016.



On account of land dispute some scuffle took place between the two sides. Suresh Singh got one lacerated wound over scalp and other injuries are of pain and swelling. The nature of injuries is opined to be simple in nature. Similarly Mithilesh Singh got one lacerated wound over scalp and another is abrasion over right hand. Both the injuries are simple in nature.

Considering the facts aforesaid and the fact that on account of land dispute there was mutual assault between the two sides and on account of assault made by the petitioner simple injuries were caused to the informant and his brother, the petitioners, 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) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-2, Saran at Chapra in Marhowrah P.S. Case No. 499 of 2016, 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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