

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14137 of 2017

Arising Out of PS.Case No. -195 Year- 2010 Thana -SAKRA District- MUZAFFARPUR

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1. Radhe Shyam Thakur, son of Late Jugut Lal Thakur.
 2. Niraj Kumar.
 3. Dhiraj Kumar.
Both sons of Radheshyam Thakur.
 4. Sunita Devi, wife of Radhe Shyam Thakur.
All resident of village-Haripur Krishna, P.S. Sakra, Ditriect-Muzaffarpur.

.... 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

3 18-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Sakra P.S. Case No.195 of 2010 registered under Sections 447,
341, 323, 324 and 307/34 of the Indian Penal Code.

The accusation is that on 22.04.2010 at about 07.30 A.M.
when the informant Ravi Kumar went to attend the call of nature
then he saw that Radheshyam Thakur, his cousin, was cutting the
tree to his field. The informant returned to his house and informed
to his grandfather Suresh Thakur. When Radheshyam Thakur



brought the cut tree at his house then Suresh Thakur, the grandfather of the informant, asked him as to why he had cut the trees on which Radheshyam Thakur started to cause assault to Suresh Thakur, the grandfather of the informant, through lathi. When the informant rushed to save his grandfather then Niraj Kumar (petitioner no.2) caused injury on his head through Farsa whereas Dhiraj Kumar (petitioner no.3) assaulted him through rod. When the informant fell down then his brother Sunny Kumar alias Lakky Kumar and mother Mina Devi rushed to save him, then they were also assaulted by Dhiraj Kumar (petitioner no.3) and his mother Sunita Devi (petitioner no.4) through iron rod and lathi.

Learned counsel appearing on behalf of the petitioners submits that, in face, due to land dispute, the occurrence of “Maar-Peet” took place between the parties and both sides sustained injuries. On the basis of the written report of Niraj Kumar (petitioner no.2), Sakra P.S. Case No.196 of 2010 was instituted on the same day, i.e., 22.04.2010 against the informant and others for the offence under Sections 447, 341, 323, 324 and 307/34 of the Indian Penal Code. Moreover, the injury, as caused to the informant, his brother and mother, is simple in nature.

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 Additional Chief Judicial Magistrate-cum-Sub Judge-XIII, Muzaffarpur, in connection with Sakra P.S. Case No.195 of 2010, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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