

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37468 of 2017

Arising Out of PS.Case No. -199 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rajan Pandey
2. Pramod Pandey
3. Rampravesh Pandey, All three sons of late Nagendra Pandey.
4. Sonu Pandey
5. Monu Pandey
6. Chhunu Pandey, All three sons of Pramod Pandey
7. Mohit Pandey, S/o Rampravesh Pandey All seven are R/o Village - Kairatiya, P.S. - Manuapul, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 13-09-2017 Vide order dated 24.08.2017, the prayer for anticipatory bail in respect to petitioner no. 4, Sonu Pandey, is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1, 2, 3, 5, 6 and 7, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner nos. 1, 2, 3, 5, 6 and 7 apprehend their arrest in connection with Muffasil (Manuapul) P.S. Case No. 199 of 2017, registered under Sections 147, 148, 149, 323, 324, 307 and 379 of the Indian Penal Code.



The accusation is that on 17.05.2017, eight persons named in the F.I.R. including the petitioners armed with weapons reached at the plot of the informant, Tej Pratap Pandey, which was allotted in his share, and started ploughing. When the informant made protest then petitioner no. 3, Ram Pravesh Pandey, caused injury at the head of the informant through Farsa. On raising alarm, his father Baidhnath Pandey, brother Ashuto Pandey, cousins Raj Kishore Pandey, Indresh Pandey and Dilip Pandey, rushed to save him then petitioner no. 4 Sonu Pandey, caused injury at the head of Baidnath Pandey, father of the informant, through Farsa. At that time, petitioner no. 1, Rajan Pandey, caused injury at the head of Raj Kishore Pandey through Farsa whereas petitioner nos. 2, 5 6 and 7 and Mikku Pandey caused injury to Dilip Pandey, Indresh Paney and Ashutosh Pandey through lathi. In the meantime, petitioner no. 3, Ram Pravesh Pandey, also snatched gold chain from the neck of the informant.

Learned counsel for the petitioners submits that while the allegation has been made against the petitioner no. 3, Ram Pravesh Padney, to cause injury at the head of the informant through Farsa, which is simple in nature whereas one grievous injury, which is said to be cause by petitioner no. 1 through Farsa at the head of Raj Kishore Pandey, is caused by hard and blunt



substance. Further submission is that admittedly petitioners and the informant are agnates and due to land dispute occurrence took place, in which, petitioners' side also sustained grievous injury, regarding which, Muffasil (Manuapul) P.S. Case No. 198 of 2017 is also instituted on the basis of Fradbeyan of Prince Pandey, son of petitioner no. 2.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 1, 2, 3, 5, 6 and 7 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, in connection with Muffasil (Manuapul) P.S. Case No. 199 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

