

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.697 of 2017

Arising Out of PS.Case No. -164 Year- 2014 Thana -PIPRA District- SUPAUL

- =====
1. Rajesh Yadav @ Rajesh Kumar, S/o Fuleshwar Yadav,
 2. Mukesh Yadav @ Rajesh Kumar, Son of Fuleshwar Yadav, Both are residents of Village- Sukhasani, P.S.- Pipra, District- Supaul.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Pipra P.S. Case No. 164 of 2014, registered under Sections 147, 341,
323, 324, 307 & 504 of the Indian Penal Code.

The accusation is that 11 persons named in the F.I.R.,
including the petitioners, due to dispute of the path, reached at the door
of the informant variously armed with weapon and started to abuse to
the lady present in the court yard of the informant. In the meantime,
Dukhi Yadav, uncle of the informant, reached there and made protest
then co-accused Brahmdeo Yadav gave farsa blow at his head, who
fell down then Vijay Yadav, son in law of Brahmdeo Yadav, also
caused injury on his face. Thereafter, informant and others rushed to
save his uncle then they were also assaulted by the accused persons.



Learned counsel for the petitioners submits that though petitioners are named in the F.I.R. but there is specific allegation against Brahmdeo Yadav and his son in law, who caused injury to the informant and his uncle, but none has sustained injury. Further submission is that occurrence of Marpit took place due to dispute of path in which Brahmdeo Yadav also sustained injuries regarding which Pipra P.S. Case No. 165 of 2014, under Sections 147, 341, 323, 324, 379, 504 and 506 of the Indian Penal Code was instituted on the basis of fardbeyan of Brahmdeo Yadav against the informant and others of the present case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 Sri Jitendra Kumar, Judicial Magistrate, Supaul in connection with Pipra P.S. Case No.164 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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