

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4962 of 2018

Arising Out of PS.Case No. -326 Year- 2017 Thana -SIMRI District- BUXAR

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1. Ramashankar Yadav, S/o Basant Yadav,
2. Raj Kumar Yadav S/o Tuntun Yadav, Both R/o Village- Thagani Ke
Dera, P.S.- Simri (T.R.H. O.P.), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-02-2018 Heard both sides.

The petitioners apprehend their arrest in Simri (T.R.H. O.P.) P.S. Case No. 326 of 2017 registered under Sections 147,148,149,341,323,307,504,506 of the Indian Penal Code and under Sections 27 Arms Act.

The informant Rameshwar Yadav alleged that he requested Ramakant Yadav to remove the Bajra Bundle, for such all the named accused persons started assaulting and abused the informant. They started pelting stones. It is further alleged that Raj Kumar Yadav and Ramakant Yadav opened firing.

Learned counsel for the petitioner submits that there is counter version of case vide Simri (T.R.H. OP) P.S. Case No. 327 of 2017 for the offence under Section 307 of the Indian Penal



Code and 27 of the Arms Act. He further submits that the occurrence took place due to land dispute, nobody is injured and no sign of firing was found on the place of occurrence.

Considering the facts aforesaid that there is case and counter case and of course the fire is alleged to have been made by petitioner no. 2, but nobody sustained any injury and the occurrence took place on account of land dispute, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IVth, Buxar in connection with Simri (T.R.H. O.P.) P.S. Case No. 326 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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