

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26112 of 2018

Arising Out of PS.Case No. -128 Year- 2017 Thana -PALIGANJ District- PATNA

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1. Rampukar Yadav
2. Mahesh Yadav @ Mahendar Yadav
3. Surendar Yadav All sons of Late Ram Nath Yadav
4. Gopal Yadav, S/o- Mahesh Yadav
5. Shri Ram Singh @ Shri Ram Yadav S/o- Ram Dhayan Yadav, All
Resident of Village- Korara, P.S.- Paliganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-05-2018 Heard both sides.

The petitioners apprehend their arrest in Paliganj P.S.
Case No.128 of 2017 registered under Sections 307, 325, 323,
341, 149 & 147 of the Indian Penal Code.

The informant named the petitioner Nos.1 to 5 and
alleged that on account of dispute with regard to measurement of
land they all armed with different weapons came and assaulted the
informant and his brother, Pramod Kumar.

The learned counsel for the petitioners submits that
petitioner No.5 is not named in the F.I.R. There is a counter case
bearing Paliganj P.S. Case No.129 of 2017. During the course of



measurement of the land both sides entered into free fight and both sides sustained injuries. Injuries are simple in nature as would appear from the order of the learned Additional Sessions Judge that the dimension of injuries are $\frac{1}{2}$ cm x $\frac{1}{4}$ cm into skin deep on scalp.

Considering the facts aforesaid that on account of measurement of land both sides entered into free fight and the injuries found on the person of the informant and brother of the informant are simple in nature, 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 are 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 S.D.J.M., Danapur, Dist.-Patna in connection with Paliganj P.S. Case No.128 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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