

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12681 of 2019**

Arising Out of PS. Case No.-38 Year-2018 Thana- NARALI KALA KHURD District-  
Aurangabad

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1. NITISH KUMAR Son of Uday Singh Resident of Village - Sahda, P.s.-  
Narari kala Khurd, Distt.- Aurnagabad
  2. Pankaj Kumar Son of Uday Singh Resident of Village - Sahda, P.S.- Narari  
Kala Khurd, Distt.- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      05-03-2019                      Heard both sides.

The petitioners apprehend their arrest in Narari Kala Khurd P.S. case No. 38 of 2018 registered under Section 341, 323, 308, 379, 504, 506/34 of the Indian Penal Code.

The informant alleged that his mother was keeping cowdung in her field. Uday Singh picked up quarrel with his mother. In the meantime Nitish Kumar and Pankaj Kumar, both sons of Uday Singh, and Om Prakash Singh came there. Both sides claimed the land to be their own. On such, the petitioners along with others are alleged to have assaulted the informant, his mother and father with Tangi and other weapons.

The learned counsel for the petitioners submits that there is case and counter case. From the side of petitioners Narari Kala Khurd P.S. case No. 37 of 2018 was registered. The informant got two injuries. The father and mother of the informant also got injuries but all the injuries are simple in



nature (Annexure-3 series). Final opinion of the doctor is also filed by filing supplementary affidavit. It is submitted that from the side of petitioners, petitioners their father and mother also got injuries, photo copy of which are filed.

There appears that there is mutual assault between two sides on account of land dispute and for keeping cowdung. Both sides received injuries but the injuries are simple in nature.

Considering the facts aforesaid and nature of allegation made against the petitioners, 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 his furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the lime amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Narari Kala Khurd P.S. case No. 38 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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