

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17743 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- BHAGWANPUR District- Vaishali

1. Umesh Singh, aged about 65 years, Male, Son of Deep Narayan Singh, Resident of Village Bithouli, P.S. Bhagwanpur, District Vaishali
2. Mahesh Singh, aged about 50 years, Male, Son of Mathura Singh, Resident of Village Bithouli, P.S. Bhagwanpur, District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-03-2019 Heard both sides.

Petitioners apprehend their arrest in Bhagwanpur P.S.

Case No.106 of 2018, registered under Section 307 and other
minor sections of the Indian Penal Code.

The informant in gist alleged that while he was
cleaning the drainage, the petitioners and others came and
assaulted the informant and his family members. Petitioner no.1,
Umesh Singh is alleged to have assaulted Vikash Kumar, the
brother of the informant on his leg and petitioner no.2, Mahesh
Singh is alleged to have assaulted Kameshwar Singh with stick
on his hand.

Learned counsel for the petitioners submits that the



petitioners are co-sharers and the dispute arose due to flow of drainage water. The injury found on the leg of Vikash Kumar was kept reserved for X-ray but no X-ray was done on the leg of Vikash Kumar. Kameshwar Singh got simple injury on his left hand.

Taking into consideration the facts that the petitioners are co-sharers and the dispute arose due to flow of drainage water in which some scuffle took place and the informant and others got injuries, Vikash Kumar and Kameshwar Singh got simple injuries on account of assault made by the petitioners, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 the learned ACJM-III, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No.106 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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