

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19240 of 2019

Arising Out of PS. Case No.-340 Year-2016 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. SUSHIL KUMAR @ SUSHIL KUNWAR Son of Hariballabh Kunwar Resident of Village- Binodpur, P.S.- Muffasil, District- Begusarai.
 2. Raushan Kumar Son of Suchit Kumar Resident of Village- Binodpur, P.S.- Muffasil, District- Begusarai.
 3. Gaurav Kumar @ Gaurav Son of Sushil Kumar Resident of Village- Binodpur, P.S.- Muffasil, District- Begusarai.
 4. Amit Kumar Son of Sunil Kumar Resident of Village- Binodpur, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-04-2019 Heard both sides.

The petitioners apprehend their arrest in Muffasil P.S. case No. 340 of 2016 registered under Section 147, 149, 341, 323, 324, 325, 379 of the IPC.

The informant alleged that while she was cleaning her land with labour, Sushil Kumar, petitionr No.1, Sunil Kumar, Amit Kumar, petitioner No.4, Raushan Kumar, petitioner No.2, and Gaurav Kumar, petitioner No.3, came and surrounded the informant. Petitioner No.1 is alleged to have assaulted the informant with iron rod which hit on her eyebrow. Sunil Kumar,



who is not petitioner here, assaulted the informant with iron rod on her hand causing fracture injury. Guarav Kumar, petitioner No. 3, and Raushan Kumar, petitioner No.2, are also alleged to have assaulted the informant.

The learned counsel for the petitioners submits that there is land dispute. Petitioner No.1 caused injury on eyebrow of the informant but the injury is opined to be simple in nature as no X-ray report is produced before the doctor. The X-ray of elbow/ wrist was produced and the doctor opined the injury to be grievous in nature but author of that injury is Sunil Kumar, who is not petitioner. Petitioners No.2 and 3 are alleged to have assaulted the informant but no corresponding injury was found on the person of informant. There is no allegation of assault against petitioner No.4.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the 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 their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Raviranjan, learned Judicial Magistrate, 1st



class, Begusarai in connection with Muffasil P.S. case No. 340
of 2016, subject to conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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