

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15959 of 2019

Arising Out of PS. Case No.-443 Year-2018 Thana- RAJAON District- Banka *

1. Bhavesh Yadav, Aged about 54 years, Male, Son of Hari Yadav, Resident of Village - Kathchar, P.S- Rajoun, Distt - Banka.
2. Rajeev Yadav, Aged about 21 years, Male, Son of Bhavesh Yadav, Resident of Village - Kathchar, P.S- Rajoun, Distt - Banka.
3. Chandan Yadav @ Chandan Kumar, Aged about 19 years, Male, Son of Bhavesh Yadav, Resident of Village Kathchar, P.S- Rajoun, Distt - Banka.
4. Guddu Yadav @ Gudda Yadav, Aged about 24 years, Male, Son of Late Mahesh Yadav, Resident of Village Kathchar, P.S- Rajoun, Distt - Banka.
5. Kago Devi, Aged about 42 years, Female, Wife of Bhavesh Yadav, Resident of Village - Kathchar, P.S- Rajoun, Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-03-2019 Heard both sides.

Petitioners apprehend their arrest in Rajoun P.S. Case No.443 of 2018, registered under Section 307 and other minor sections of the Indian Penal Code.

Domi Yadav, the informant, named all the five petitioners and alleged that they assaulted the informant with *lathi* on his head and other parts of his body. On alarm, villagers came and saved the informant. The informant further alleged that the occurrence took place due to land dispute.

Learned counsel for the petitioners submits that there is no



specific allegation of assault against the petitioners. Domi Yadav of course got four injuries, one on the head and others on non-vital parts of the body. All the four injuries are simple in nature. At the first instance, Domi Yadav was referred to Bhagalpur Medical College for X-ray but no X-ray was done. It is further submitted that Girish Yadav is the brother of Domi Yadav. The injuries of Girish Yadav also finds place in the case diary but the FIR does not disclose how Girish Yadav got injuries and who is the assailant of Girish Yadav. There appears that there is land dispute between the two sides and on account of such, the occurrence took place.

Taking into consideration the facts aforesaid and the fact that occurrence took place due to land dispute in which Domi Yadav got simple injuries, 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 CJM, Banka in connection with Rajoun P.S. Case No.443 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

