

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19238 of 2019**

Arising Out of PS. Case No.-99 Year-2018 Thana- MOKAMAH District- Patna

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1. DULARCHAND YADAV Son of Medni Rai, Resident of Village-Mekra Naya Tola, Police Station-Mokama, District-Patna.
  2. Santu Rai, Son of Karu Rai @ Ashlok Ray, Resident of Village-Mekra Naya Tola, Police Station- Mokama, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Ram Sumiran Rai

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

2      01-04-2019                      Heard both sides.

The petitioners apprehend their arrest in Mokama P.S. case No. 99 of 2018 registered under Section 448, 323, 341, 379, 504, 506/34 of the IPC.

The informant alleged that petitioners and other accused persons were putting pole in her land finding no member present in her house. When the informant objected all the accused persons are alleged to have assaulted the informant and also pressed her neck. On alarm many persons came.

The learned counsel for the petitioners submits that petitioners are next door neighbours. All the offences are bailable except the offence alleged u/s 379 of the IPC. No



specific allegation of theft is made against any of the accused persons and the allegation of theft is ornamental.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that the occurrence took place on account of land dispute, 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 M. Kumar, learned Judicial Magistrate, 1<sup>st</sup> class, Barh (Patna) in connection with Mokama P.S. case No. 99 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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