

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21051 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- AMBA District- Aurangabad

1. PRAMOD SINGH @ PRAMOD KUMAR SINGH S/O Late Ramjatan Singh, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
2. Dara Yadav @ Suresh Prasad Yadav, S/O Kailash Yadav @ Shivnandan Yadav, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
3. Santan Yadav @ Satyanarayan Singh Yadav, S/O Late Ramjee Yadav, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
4. Tunna Singh @ IndraJeet Singh, S/O Late Baburam Singh, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
5. Pankaj Singh, S/O Late Baburam Singh, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
6. Laldeo Yadav, S/O Late Kailash Yadav, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
7. Sujeet Singh @ Sujeet Kumar Singh, S/O Upendra Singh, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
8. Kamlesh Saw @ Kamlesh Kumar, S/O Sarju Saw, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
9. Dhananjay Saw, S/O Vishwanath Saw, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
10. Sudhir Yadav @ Sudhir Kumar, S/O Santan yadav, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
11. Munna Yadav @ Munna Kumar, S/O Shyamdeo Yadav, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
12. Vishal Kumar @ Ritesh Kumar, S/o Ramadhar Singh, Resident of Village- Dhongra, P.S.- Amba, District- Aurangabad.
13. Sudheshwar Chandrawanshi @ Sudheshar Chandrawanshi @ Sudheshwar Singh, S/o Narayan Chandrawanshi @ Narayan Singh, Resident of Village- Niranjapur, P.S.- Amba, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019

Heard both sides.



The petitioners apprehend their arrest in Amba P.S. case No. 1/2019 registered under Section 307, 385 and other Sections of the IPC.

The informant alleged that while he was irrigating his field about 30-40 persons from Niranjapur, having armed with different weapons, came. Bipul Kumar fired at the informant but the informant saved himself. It is further alleged that all the accused persons, including the petitioners, caught father of the informant and they all pressed the leg and hand of his father. Hand and leg of the father of informant were broken into ten pieces.

The learned counsel for the petitioners submits that Bipul Kumar made firing while the informant was fleeing away. There is case and counter case. From the side of petitioners Amba P.S. case No. 2 of 2019 is lodged against the informant and others. Bipul Kumar was brutally assaulted by the informant and others. It is submitted that informant alleged that hand and leg of his father were broken into pieces but from perusal of the injury report of Laxman Mahto, father of informant, it would appear that he got one bleeding injury on his left leg, scratch on forehead and body pain but the opinion was reserved. No fracture was found on the hand and leg of father of informant.



Bauby Kumar was not assaulted by any person, as it appears from perusal of the FIR, but the injury report of Bauby Kumar is also annexed with the FIR. From the side of petitioners many persons got injuries. Bipul Kumar has got as many as four injuries on different parts of his body. Bindu Yadav also got injuries.

Taking into consideration the facts aforesaid and the fact that there is case and counter case and the occurrence appears to have taken 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 learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. case No. 1 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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