

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28804 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- BABUBARHI District- Madhubani

1. RAM KUMAR YADAV Son of Rajlal Yadav, Resident of Village -Bhanpur, P.S. -Babubarhi, District- Madhubani.
2. Sushil Yadav, Son of Rajdhar Yadav, Resident of Village -Bhanpur, P.S. -Babubarhi District -Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2019 Heard both sides.

The petitioners apprehend their arrest in Babubarhi P.S. case No. 85 of 2018 registered under Section 324, 307, 354B, 379 and other minor Sections of the IPC and u/s 27 of Arms Act.

The informant named 16 persons, including the petitioners, Ram Kumar Yadav and Sushil Yadav and alleged that on the order of Ram Kumar Yadav, petitioner No.1, Anil Yadav and Ram Chandra Yadav fired which caused fire arm injury to Ranjit Yadav, grand son of the informant, and the informant also sustained fire arm injury. When Asha Devi, wife of Manoj Yadav, came to save other accused persons also



assaulted her. Petitioner No.2 is alleged to have stripped the clothes of daughter-in-law of the informant and snatched Mangalsutra from her neck.

The learned counsel for the petitioners submits that there is counter version being Babubarhi P.S. case No. 75 of 2018 which was registered on 16.05.2018 against Ajay Yadav & Ors. From the side of petitioners many persons were injured. Ram Chandra Yadav got grievous injuries. Only allegation against petitioner No.1 is that he is an order giver and petitioner No.2 is alleged to have stripped the clothes of the daughter-in-law of informant. There is no allegation of assault against the petitioners.

It appears that there is a case and counter case and both sides have entered into mutual assault on account of land dispute for construction of thatched wall (Tati).

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 learned Additional Chief Judicial Magistrate-III,
Madhubani in connection with Babubarhi P.S. case No. 85 of
2018, subject to conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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