

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37106 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- NAWADA District- Nawada

1. Virendra Kumar, Son of Chandrika Prasad, Resident of Mohalla - Sahebchak, Adrakhi Bigha, P.S.- Nawada Town in the district of Nawada
2. Ram Balak Prasad, Son of Late Bal Govind Mahto, Resident of Mohalla - Sahebchak, Adrakhi Bigha, P.S.- Nawada Town in the district of Nawada
3. Suresh Prasad, Son of Late Bal Govind Mahto, Resident of Mohalla - Sahebchak, Adrakhi Bigha, P.S.- Nawada Town in the district of Nawada
4. Santosh Kumar, Son of Arjun Prasad, Resident of Mohalla - Sahebchak, Adrakhi Bigha, P.S.- Nawada Town in the district of Nawada
5. Mantu Kumar, Son of Arjun Prasad, Resident of Mohalla - Sahebchak, Adrakhi Bigha, P.S.- Nawada Town in the district of Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 23-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nawada Town P.S. Case No. 153 of 2019, registered under Sections 447, 341, 323, 379, 307, 324 and 427/34 of the Indian Penal Code.

The accusation is that in the morning of 13.02.2019 informant, Dipu Kumar and his three brothers were sleeping at their house. At that time, petitioners and Chandrika Prasad



pointed the gun at the temporal of Golu Kumar. Thereafter informant and his brothers raised alarm, on which, petitioners and Chandrika Prasad started to caused injury through axe, spade and iron rod. Thereafter, police came there and rushed to the informant and other injured to the Sadar Hospital, Nawada for treatment. Further allegation is that co-accused, Mantu Kumar (petitioner no.5) damaged his house and loaded the summersable boring machine, 25 bags of cement and 4 quintal iron rod loaded on the tractor and took away the same.

Learned counsel for the petitioners submits that, in fact, petitioners and the informant are agnates and due to land dispute, informant lodged the present case with false allegation. Moreover, the injuries as found on the person of the informant and other injured are simple in nature as detailed in the impugned order dated 29.04.2019 passed by the Sessions Judge, Nawada in ABP No. 345 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Nawada, in connection with Nawada Town P.S.
Case No. 153 of 2019, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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