

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40801 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- KHIRI MORE District- Patna

1. Shailendra Mochi @ Shailendra Kumar Ram, S/o Sri Mochi R/o- Mathiyapur, P.S.- Khiri More, District- Patna.
2. Gajendra Mochi @ Gajendra Das son of Rameshwar Mochi R/o- Mathiyapur, P.S.- Khiri More, District- Patna.
3. Rameshwar Mochi S/o Late Lakhan Mochi R/o- Mathiyapur, P.S.- Khiri More, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 27-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khiri More P.S. Case no. 07 of 2019, registered under Section 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the evening of 22.01.2019, informant Ganesh Mochi was returning to his house from Imamganj market, in the way, petitioner Shailendra Mochi (petitioner No.1), Gajendra Mochi (Petitioner No.2) were present. When informant asked them



to clear the road then petitioner No.2 started to abuse him. When informant made protest then petitioner No.1 went to his house and returned with his father, uncle and nephew and surrounded him. Thereafter, petitioner No.1 gave iron rod blow at his head then informant become unconscious. Thereafter, father of the informant rushed there then he was also assaulted by Petitioner No.1 and petitioner No.2 through rod. Thereafter, Rameshwar Mochi (petitioner No.3) and Shree Mochi and Lalu Mochi also caused injury. At that time, they snatched Rs. 5000/- from the pocket of informant.

Learned counsel for the petitioners submits that occurrence of Marpit took place due to petty dispute in which petitioners' side also sustained injuries regarding which Khiri More P.S. Case No. 08 of 2019 was also instituted on the basis of fardbeyan of co-accused Shree Bhagwan Mochi. Moreover, the injuries as found on the person of informant and his father are simple in nature. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on



furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M-III, Danapur in connection with Khiri More P.S. Case No. 07 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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