

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39296 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- UCHKAGAON District- Gopalganj

1. Prakash Kumar @ Prakash Sah, Son of Late Ram Chandra Prasad, Resident of Village- Virndavan, Takia Tola, P.S.- Uchkagaon, District- Gopalganj.
2. Kundan Kumar @ Kundan Kumar Jaiswal, Son of Late Ganesh Prasad, Resident of Village- Virndavan, Takia Tola, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Uchkagaon P.S. Case No. 140 of 2018, registered under Sections 147, 148, 149, 447, 341, 323, 324, 325, 307, 427, 354, 379, 504 and 506 of the Indian Penal Code.

The accusation is that in course of scuffling in between parties, Kundan Kumar @ Kundan Kumar Jaiswan (petitioner no. 2) gave sword blow at the head of Nekhat Praveen, daughter of the informant whereas Prakash Kumar @ Prakash Sah (petitioner no. 1) gave sword blow at the head of Hasrat Jahan, another daughter of informant, in which, she fell down and became unconscious. Thereafter, petitioner no. 1 snatched the gold chain from the neck of



Nekhat Praveen. The occurrence took place due to land dispute.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that while the allegation has been made against both petitioners to cause injury to Nekhat Praveen and Hasarat Jahan, both daughters of the informant, but their injuries are simple in nature, caused by hard and blunt substance. Further submission is that due to land dispute, occurrence took place, in which, petitioners' side also sustained injury, regarding which, Uchkagaon P.S. Case No. 141 of 2018 is instituted on the basis of written report of petitioner no. 1.

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 six 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 learned A.C.J.M.-IX, Gopalganj, in connection with Uchkagaon P.S. Case No. 140 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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