

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47093 of 2019

Arising Out of PS. Case No.-20 Year-2018 Thana- MORKAHI District- Khagaria

1. Bimla Devi, Wife of Mahendra Yadav Resident of village- Sabalpur, P.S.- Morkahi, District- Khagaria.
2. Mahendra Yadav Son of Mangan Yadav Resident of village- Sabalpur, P.S.- Morkahi, District- Khagaria.
3. Sohan Yadav Son of Mahendra Yadav Resident of village- Sabalpur, P.S.- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Morkahi P.S. Case no. 20 of 2018, registered under Sections 448, 341, 323, 324, 325, 307, 379 and 427/34 of the Indian Penal Code.

The accusation is that in the evening of 12.03.2018, petitioner No.1 Bimla Devi and her husband Mahendra Yadav (Petitioner No.2) came in the courtyard of informant and started abusing her on suspicion about taking of Karchi (piece of bamboo). In the meantime, her son Rakesh



Kumar came there then Mahendra Yadav (Petitioner No.2) ordered to shoot fire thereupon, Sohan Yadav (Petitioner No.3) and Shambhu Yadav came with iron rod and started to cause assault to Rakesh Kumar, when informant tried to save her son then petitioner No.2 caused injury to her and her daughter Soni Kumari and Khusboo Kumari. At that time, Neha Devi snatched her gold ear rings.

Learned counsel for the petitioners submits that occurrence of Marpit took place due to petty dispute in which petitioners' side also sustained injury regarding which Morkahi P.S. Case No. 19 of 2018 was also instituted on the basis of fardbeyan of petitioner No.1 Bimla Devi. Moreover, the injuries as found on the person of informant and other injured were simple in nature, which is detailed vide order dated 28.06.2019 passed in ABP No. 529 of 2019 by the Addl. Sessions Judge-IV, Khagariya, wherein the prayer of pre-arrest bail of the petitioners has been refused. 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 Sub-Divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 20 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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