

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47254 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- GOH District- Aurangabad

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1. RAHUL YADAV, aged about 21 years, Gender-Male, S/O Shiv Narayan Yadav
 2. Shiv Narayan Yadav, aged about 60 years, Gender-Male, S/O Late Vishun Dayal Yadav
 3. Ujjawal Yadav @ Ujjwal Kumar, aged about 22 years, Gender-Male, S/O Shiv Narayan Yadav
 4. Nandu Yadav, aged about 25 years, Gender-Male, S/O Shiv Narayan Yadav
 5. Sumitra Devi, aged about 55 years, Gender-Female, W/O Shiv Narayan Yadav
- All are resident of Village- Paharpura, P.S.- Goh, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-07-2019 Heard both sides.

The petitioners apprehend their arrest in Goh P.S.
Case No.38 of 2019 registered under Sections 307, 325, 324,
323, 341, 504 and 34 of the Indian Penal Code.

The informant disclosed that Nandu Yadav (petitioner No.4) and Ravi Ranjan Yadav were abusing his mother for flowing of drainage water. The informant came and asked his nephews not to abuse his mother but both the accused persons assaulted the informant with stick. When the son of the



informant, Vivek Kumar and brother, Satyendra Yadav came, Shiv Narayan Yadav(petitioner No.2), Sumitra Devi(petitioner No.5), Rahul Yadav(petitioner No.1) and Ujjawal Yadav(petitioner No.3) assaulted the informant, his son and brother.

The learned counsel for the petitioners submits that the informant Bhagwan Yadav is own brother of petitioner No.2, Shiv Narayan Yadav. Ravi Ranjan Yadav is not the petitioner here. Rahul Yadav, Ujjawal Yadav and Nandu Yadav are sons of Shiv Narayan Yadav and Sumitra Devi is wife of Shiv Narayan Yadav. A drainage is flowing in between the house of the petitioners and the informant. Some verbal altercation took place and both sides entered into mutual assault with each other. From the side of the petitioners, Goh P.S. Case No.39 of 2019 is registered on the basis of the fardbeyan of Ravi Ranjan Yadav. It is further submitted that injuries found on the persons of the informant, his son and his brother, Satyendra Yadav are superficial and simple in nature.

Taking into consideration the fact that on the face of the allegation, it appears that petitioners are own brother, nephews and sister-in-law of the informant and the occurrence took place due to flow of drainage water in which both the sides



appeared to have entered into scuffle with each other, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, District-Aurangabad in connection with Goh P.S. Case No.38 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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