

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59239 of 2019

Arising Out of PS. Case No.-489 Year-2018 Thana- MANER District- Patna

1. UPENDRA RAI Son of Kalika Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
2. Gyanandu @ Gyanender Rai @ Gyanandu Rai Son of Kalika Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
3. Dharamnandu @ Dharmendra Rai Son of Dewali Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
4. Ghoghi Rai @ Surendra Kumar Son of Dewali Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
5. Rajendra Rai @ Pappu Kumar alias Rajendra, son of Dharamnandu @ Dharamnandu Rai, Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
6. Santosh Rai @ Santosh Kumar Son of Upendra Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
7. Lekha Rai @ Patiya Rai @ Patai Rai Son of Upendra Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
8. Laalu Kumar @ Pankaj Kumar Son of Upendra Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
9. Ravi Kumar Son of Upendra Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
10. Ram Kumar Son of Gyanandu Rai @ Gyanendra Rai @ Gyanandu Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
11. Nitesh Kumar Son of Uttim Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
12. Rohti Kumar Son of Uttim Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.
13. Mukesh Rai @ Mukesh Kumar Son of Ram Balak Rai Resident of Village- Nilkanth Tola Gauraiya Asthan, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and the



learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Maner P.S. Case No.489 of 2018 registered under Sections 147, 148, 149, 341, 323, 308, 354, 427, 379, 504 and 506 of the Indian Penal Code.

The accusation is that 10 persons, named in the F.I.R., including the petitioners variously armed with weapons entered at the house of the informant and damaged her house and also caused assault to the informant through legs, fists, danda and rod, due to which she sustained fracture injury in the fingers of her hand. At that time, they also caused injury at the head of her son Saurav Kumar. In the occurrence, Mangal Sutra and cash Rs.5000/-, kept in a box, of the informant were taken away by them.

Learned counsel for the petitioners submits that, in fact, due to some differences and land dispute, the occurrence of “Maar-Peet” took place in between the parties in which the petitioners’ side also sustained injury regarding which on the basis of the fardbeyan of the petitioner no.1, Maner P.S. Case No.488 of 2018 was also instituted against the prosecution party. Moreover, the injury of the informant and her son is simple in nature.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Miss Nutan Kumari, Judicial Magistrate, First Class, Danapur, Patna, in connection with Maner P.S. Case No.489 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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