

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50498 of 2019

Arising Out of PS. Case No.-159 Year-2017 Thana- KHARHAGPUR District- Munger

1. Mahesh Yadav, Son of Heyalal Yadav @ Heeralal Yadav Resident of Village- Ratni, P.S.- Haveli Kharagpur, District- Munger.
2. Mithilesh Yadav Son of Mahesh Yadav Resident of Village- Ratni, P.S.- Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Gopal Mishra

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Haveli Kharagpur P.S. Case no. 159 of 2017, registered under Sections 147, 149, 341, 323, 307, 354(A) and 504/34 of the Indian Penal Code.

The accusation is that on 25.05.2017 at about 9.00 A.M. informant was removing the bricks kept near the wall at that time both the petitioners along with five other named in the F.I.R. came there and asked the informant to remove the bricks then informant assured that the bricks will be removed till evening, but Mahesh Yadav (petitioner No.1) put soil on the



bricks. On protest, petitioners along with five others caused injury at the head of informant through spade. When mother of informant came in rescue then she was also assaulted.

Learned counsel for the petitioners submits that occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Kharagpur P.S. Case No. 146 of 2017. Further submission is that the injuries as found on the person of informant 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.-IV, Munger in connection with Haveli Kharagpur P.S. Case No. 159 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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