

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50280 of 2019

Arising Out of PS. Case No.-439 Year-2019 Thana- KHAGARIA District- Khagaria

1. RISHIDEO YADAV Son of Late Ramotar Yadav
2. Manohar Kumar Son of Rishideo Yadav
3. Vijay Yadav Son of Late Ramotar Yadav
4. Brajesh Kumar Son of Rishideo Yadav
All Resident of Village- Vidyadhar, Ward No. 6, P.S. and District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-08-2019 Heard both sides.

The petitioners apprehend their arrest in Khagaria P.S. Case No.439 of 2019 registered under Sections 147, 148, 149, 341, 323, 504, 506, 379 and 307 of the Indian Penal Code.

The informant, Rajendra Yadav, named seven persons including four petitioners and alleged that they all having armed with different weapons came and began to abuse and assault the informant and his family members. Even when the informant fell down on the ground, the accused persons continued to assault him and his wife and others. Somebody from Rishideo, Manohar and Vijay took out Rs.21,000/- from his pocket.

The learned counsel for the petitioners submits that there is a counter version being Khagaria P.S. Case No.438 of 2019 which was registered on the basis of fardbeyan of Manohar Kumar, petitioner No.2. The informant of the present



case is co-sharer. On account of some dispute with regard to partition of the properties, the occurrence took place and both the sides entered into scuffle and assault on each other. It is further submitted that Rajendra Yadav got two lacerated wounds which are simple in nature.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners and the fact that both the sides have appeared to have entered into scuffle and assault on each other on account of dispute with regard to partition of the property, 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No.439 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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