

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50669 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- HATHUA District- Gopalganj

1. Pawan Prasad, Aged about 19 years, Male, Son of Ram Bahadur Prasad Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
2. Niraj Prasad, Aged about 31 Years, Male, Son of Hari Shankar Prasad Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
3. Sunita Devi, Aged about 30 years, Female, Wife of Suraj Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
4. Chanda Kumari, Aged about 22 years, Female, Daughter of Rama Shankar Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
5. Amrita Kumari, Aged about 26 years, Female, Daughter of Hari Shankar Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
6. Rama Shankar Prasad, Aged about 64 years, Male, Son of Sukdar Prasad @ Subedar Prasad, Resident of Village Chainpur, P.S. Hathua, District Gopalganj.
7. Ram Bahadur Prasad, Aged about 57 years, Male, Son of Sukdar Prasad @ Subedar Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
8. Sunil Prasad, Aged about 36 years, Male, Son of Rama Shankar Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.
9. Nitu Devi, Aged about 28 years, Female, Wife of Sunil Prasad, Resident of Village- Chainpur, P.S.- Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-08-2019 Heard both sides.

Petitioners apprehend their arrest in Hathua P.S. Case
No.101 of 2019, registered under Sections 147, 148, 149, 323,
325, 307, 435 and 379 of the Indian Penal Code.



The informant named twelve accused persons including the nine petitioners and alleged that they all having armed with different weapons came and assaulted the informant and others. Saroj Kumari, Chhoti Kumari and Sanjay Prasad got serious injuries. Her brother-in-law got injury on his head and Sanjay Prasad got fracture injury on his leg.

Learned counsel for the petitioners submits that on the statement of Rama Shankar Prasad, Hathua P.S. Case No.100 of 2019 against Vishun Prasad, the husband of the informant, and other accused persons. There is land dispute between the two sides and on account of which scuffle and mutual assault took place. Sanjay Prasad got injury on leg and Amrita Kumari also got injury over occipital region. The opinion with regard to injury was kept reserved and the injured were advised for x-ray. It is further submitted that from the side of the petitioners, many persons got injuries, which are annexed in Annexure-3 series.

Taking into consideration the facts that it appears from the FIR that there is case and counter case on account of land dispute and both the sides are co-sharer, they entered into mutual assault on each other, let petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from the date of receipt of this order, be enlarged on



bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Hathua P.S. Case No.101 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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