

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51701 of 2019

Arising Out of PS. Case No.-228 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. Chandrama Yadav, Son of Late Dharikshan Yadav Resident of Village- Karisath, P.S.- Udwant Nagar, District- Bhojpur.
2. Bihari Yadav Son of Chandrama Yadav Resident of Village- Karisath, P.S.- Udwant Nagar, District- Bhojpur.
3. Sayam Bihari Yadav @ Sam Bihari Yadav Son of Chandrama Yadav Resident of Village- Karisath, P.S.- Udwant Nagar, District- Bhojpur.
4. Munna Yadav @ Munna Kumar Son of Chandrama Yadav Resident of Village- Karisath, P.S.- Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sewak Prasad
For the Opposite Party/s : Mr.Bharat Bhushan (App 156)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Udwant Nagar (Gajrajganj) P.S. Case no. 228 of 2019, registered under Sections 323, 504, 307, 379, 341, 149 and 147 of the Indian Penal Code.

The accusation is that in the evening of 14.06.2019, informant Sanjay Yadav was serving the cattle at his door. At that time, six persons named in the F.I.R., including the petitioners, having rod, lathi and stick in their



hands came at the door of the informant making compliant that why cow dung and urine is spreading on the road. In the mean time, petitioner No.1 took the iron rod from the hand of Shyam Bihar Yadav and started to cause assault at his head in which informant sustained injuries and two fingers of his right hands was broken. When Rameshwar Yadav, brother of informant come to rescue then Bihari Yadav (Petitioner No.2) gave iron rod blow at the head of Rameshwar Yadav. In the meantime, Pratima Devi, wife of informant, came then Lal Babu Yadav and Shyam Bihar Yadav (Petitioner No.3) laid her on the ground by catching her hair and Munna Yadav (Petitioner No.4) started assaulting her by fist and slaps. In course of occurrence, Shiv Kumari Devi snatched golden locket from the neck of wife of informant.

Learned counsel for the petitioners submits that the injuries found on the person of Rameshwar Yadav and Pratima Devi, brother and wife of informant, are simple in nature, whereas, out of two injuries as received by the informant, injury No.1 found on the head of informant is simple in nature, whereas, injuries as found on the finger is staid to be grievous in nature. Further submission is that occurrence took place due to petty matter in which petitioners'



side also sustained injuries regarding which Complaint Case No. 886 of 2019 was instituted by wife of petitioner No.1. 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 Chief Judicial Magistrate, Bhojpur in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 228 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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