

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54344 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- SALAIYA District- Aurangabad

1. TRIVENI YADAV Son of Late Suraj Yadav Resident of Village-Kolahua, Police Station-Salaiya, District-Aurangabad (Bihar).
2. Bhola Yadav Son of Late Suraj Yadav Resident of Village-Kolahua, Police Station-Salaiya, District-Aurangabad (Bihar).
3. Krishna Yadav Son of Sri Bhola Yadav Resident of Village-Kolahua, Police Station-Salaiya, District-Aurangabad (Bihar).
4. Pintu Yadav Son of Sri Triveni Yadav Resident of Village-Kolahua, Police Station-Salaiya, District-Aurangabad (Bihar).
5. Munna Yadav Son of Sri Bhola Yadav Resident of Village-Kolahua, Police Station-Salaiya, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Salaiya P.S. Case No.36 of 2019 registered under Sections 147, 341, 323, 504, 506, 379, 354, 307 and 324 of the Indian Penal Code.

The accusation is that on 23.05.2019 at about 10.00 A.M., meeting of the villagers was going on for the construction of the temple at Samudayik Bhawan. After the meeting, 9



persons, named in the F.I.R., including the petitioners stopped the informant and due to land dispute started to abuse her. When the informant made protest, then all started to cause assault to her through lathi and danda. On 'hullah', when Arvind Yadav and Anand Yadav, the sons of the informant, Sunita Devi, the wife of Arvind Yadav, and Pramila Devi, the wife of Anand Yadav, rushed to save the informant, then they were also assaulted by them and the sons of the informant sustained injury on their forehead and became unconscious. The aforesaid persons also snatched the gold chain from the neck of Sunita Devi and Pramila Devi.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of "Maar-Peet" took place in between the parties in which petitioners' side also sustained injury regarding which on the basis of the written report of the petitioner no.3, Salaiya P.S. Case No.35 of 2019 was also instituted against the prosecution party. There are general and omnibus allegation against the petitioners to cause injury to the injured. Moreover, the injury as found on the person of Sunita Devi and Pramila Devi are simple in nature. Regarding the nature of injury as found on the person of Anand Yadav, the opinion was kept reserved, whereas one small lacerated wound



was found on the frontal region of head of Arvind Yadav, who is said to be referred to A.N.M.C.H., Gaya.

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 the Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Salaiya P.S. Case No.36 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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