

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62489 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- PHULPARAS District- Madhubani

1. SUNIL KUMAR Son of Saroj Yadav Resident of Village - Gattipatti, Balua, P.S.- Phulparas, Dist.- Madhubani.
2. Sita Devi W/o Saroj Yadav Resident of Village - Gattipatti, Balua, P.S.- Phulparas, Dist.- Madhubani.
3. Anita Devi W/o Manoj Yadav Resident of Village - Gattipatti, Balua, P.S.- Phulparas, Dist.- Madhubani.
4. Kashindra Yadav Son of Lakhan Yadav Resident of Village - Gattipatti, Balua, P.S.- Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Phulparas P.S. Case No.16 of 2019/G.R. No.134 of 2019 registered under Sections 447, 341, 323, 325, 308, 354, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 15.01.2019 at about 07.00 A.M., when the informant was taking heat of bonfire at his door, at that time, six persons, named in the F.I.R., including the petitioners consuming liquor came there and started to abuse. When the informant made protest, then they started to cause assault to him and



his wife through iron rod, gun and lathi. At that time, the petitioner no.1 caused blood oozing injury through iron rod at the wife of the informant, whereas the petitioner no.1 and the petitioner no.3 caused fracture injury at the hand and finger of the informant through iron rod and took Rs.2000/- from his pocket. In that course, the petitioner no.3 snatched the gold chain from the neck.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the informant and his wife sustained slightest injury but the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedents.

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 Additional Chief Judicial Magistrate-II, Jhanjharpur (Madhubani), in connection with Phulparas P.S. Case No.16 of 2019/G.R. No.134 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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