

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57959 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- ADAPUR District- East Champaran

RAMPRAVESH KUSHWAHA @ RAM PARWESH KUSHWAHA Son of
Rup Narayan Kushwaha Resident of Village - Katkenwa, P.S.- Nakardei,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Adapur P.S. Case No.156 of 2018 registered under Sections
147, 341, 323, 324, 325, 307, 354, 379, 504 and 506/34 of the
Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that when Mohanlal Kushwaha, the
father of the informant Mihilesh Kumar Kushwaha, was sitting
in his mango orchard, at that time, four persons, named in the
F.I.R., including the petitioner variously armed with weapons
came there. At that time, this petitioner started to abuse him.
When the father of the informant made protest, then this
petitioner gave Farsa blow at the father of the informant causing



cut injury on his head, whereas Bachcha Kushwaha caused fracture injury on his shoulder through iron rod. When the father of the informant fell down on the ground, then Satyendra Kushwaha started to cause assault to the father of the informant indiscriminately through lathi due to which the father of the informant sustained fracture injury on the finger of his right hand. In that course, Rup Narayan Kushwaha caused assault at the shoulder and back of the father of the informant through iron rod.

Learned counsel for the petitioner submits that while there is allegation against the petitioner to cause injury at the head of the father of the informant but the injury as found on his head is simple in nature. In fact, due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the petitioner’s side also sustained injury regarding which on the basis of the fardbeyan of the co-accused Bachcha Kushwaha, Adapur P.S. Case No.157 of 2018 was also instituted against the informant of the present case and others. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Sub-Divisional Judicial
Magistrate, Raxual at Motihari, East Champaran, in connection
with Adapur P.S. Case No.156 of 2018, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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