

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59240 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- KORANSARAI District- Buxar

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1. SHARWAN GOND S/o Jagdamba Gond R/o village- Basgitiya, P.S.- Koran Sarai, District- Buxar
 2. Yatendra Gond @ Atendra Gond S/o Jagdamba Gond R/o village- Basgitiya, P.S.- Koran Sarai, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Koran Sarai P.S. Case No.44 of 2019 registered under Sections 147, 148, 149, 341, 323, 354, 307, 379 and 504 of the Indian Penal Code.

The accusation is that six persons, named in the F.I.R., including the petitioners were passing through the door of the informant and Yatendra Gond (petitioner no.2) was seeing his daughter with evil eye for which the informant made protest and, thereafter, all moved from there giving threatening. After some, all variously armed with weapons came at the door of the



informant and started to abuse. At that time, the petitioner no.2 Yatendra Gond caused blood oozing injury at the head of the informant through lathi, whereas Dashrath Gond caused blood oozing injury at the head of Rajkumar by pelting bricks and stones and Vishwanath Gond caused injury at the head of Rajesh Gond through pelting bricks. At that time, Sharwan Gond (petitioner no.1) fired from his pistol due to which horror has been created. In the meantime, on the order of Jagdamba Gond, Jitendra Gond started pelting bricks due to which Rajesh sustained injury on his head and took Rs.350/- from his pocket.

Learned counsel for the petitioners submits that due to some dispute, the occurrence of “Maar-Peet” took place between the parties in which petitioners’ side also sustained injury regarding which on the basis of the fardbeyan of Jagdambad Gond, the father of the petitioners, Koran Sarai P.S. Case No.45 of 2019 was also instituted against the prosecution party. Moreover, the injuries, as found on the person of the informant and other injured are simple in nature. 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 thier 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,
Buxar, in connection with Koran Sarai P.S. Case No.44 of 2019,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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