

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59639 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- MAHARAJGANJ District- Siwan

1. TARKESHWAR YADAW @ TARKESHWAR YADAV Son of Late Lakhi Chand Yadav, Resident of Village- Harkeshpur, Police Station- Maharajganj, District- Siwan
2. Mithilesh Yadaw @ Mithilesh Yadav Son of Amarjit Yadav, Resident of Village- Harkeshpur, Police Station- Maharajganj, District- Siwan.
3. Mukesh Yadaw @ Mukesh Yadav Son of Lal Kishun Yadav, Resident of Village- Harkeshpur, Police Station- Maharajganj, District- Siwan.
4. Sudhir Yadaw @ Sudhir Yadav Son of Rudal Yadav, Resident of Village- Harkeshpur, Police Station- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard both sides.

Petitioners apprehend their arrest in Maharajganj P.S.

Case No.97 of 2019 registered under Sections 341, 323, 324,
307, 325, 504 and 34 of the Indian Penal Code.

The informant named altogether nine persons including four petitioners and alleged that the accused persons having armed with different weapons came and began to assault the informant and his uncle Garjo Yadav on account of fixing pole on the land of the informant. Petitioner no.1 is alleged to have assaulted Garjo Yadav with lathi on his head. Dudhnath



Yadav is alleged to have assaulted the informant with axe on his head. Rajroop Yadav is alleged to have assaulted the wife of the informant with sabal on her right hand causing fracture injury on her hand. Manjesh Yadav was also assaulted by Anil Yadav.

Learned counsel for the petitioners submits that there is no allegation of assault against Mithilesh Yadav (petitioner no.2), Mukesh Yadav (petitioner no.3) and Sudhir Yadav (petitioner No.4). Tarkeshwar Yadav (petitioner no.1) is alleged to have assaulted Garjo Yadav. Garjo Yadav got one lacerated wound on his head which is opined to be simple in nature. The occurrence took place due to land dispute.

Having considered the facts that there is no allegation of assault against petitioner nos.2, 3 and 4 and Tarkeshwar Yadav (petitioner no.1) is alleged to have assaulted Garjo Yadav, who got simple injury, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate V, Siwan in connection with Maharajganj P.S. Case No.97 of 2019, subject to the



conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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