

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69033 of 2019

Arising Out of PS. Case No.-1106 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

1. PREM RAI Son of Late Gajendra Rai Resident of Village- Shekhpur, P.S.- Ahiyapur, District- Muzaffarpur.
2. Deelip Rai Son of Late Gajendra Rai Resident of Village- Shekhpur, P.S.- Ahiyapur, District- Muzaffarpur.
3. Deepak Rai Son of Late Gajendra Rai Resident of Village- Shekhpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-11-2019 Heard both sides.

The petitioners apprehend their arrest in Ahiyapur P.S. case No. 1106 of 2019 registered under Section 341, 323, 308, 354(b), 448, 379, 504, 506/34 of the IPC.

The informant alleged that petitioners along with others, armed with different weapons, came and assaulted the informant and her daughters and they torn the clothes of her daughter.

The learned counsel for the petitioners submits that there is counter version being Ahiyapur P.S. case No. 1105 of 2019. The informant is own aunt of the petitioners. The informant and her son threw garbage at the Darwaja of the petitioners and for that mother of the petitioners protested and on account of such both sides entered into mutual assault on each other. No offence u/s 308 and 354 of the IPC is made out.



It appears from the facts that both sides are close agnates and on account of throwing garbage the occurrence took place and both sides entered into mutual assault on each other.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the 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 their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. case No. 1106 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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