

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79725 of 2019

Arising Out of PS. Case No.-250 Year-2019 Thana- GOPALPUR District- Patna

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MUKESH KUMAR Son of Chhattu Rai Resident of Village-Manpur Bairiya,
P.S.-Gopalpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Singh
For the Opposite Party/s : Mr.Pranav Kumar

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

ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gopalpur P.S. Case No.250 of 2019 registered under Sections
341, 323, 325, 504, 506 and 379/34 of the Indian Penal Code.

The accusation is that in spite of the pendency of the
proceeding under Section 144 of the Code of Criminal
Procedure in respect of the land in between the informant
Umesh Rai and his uncle Chhattu Rai, on 19.08.2019, the both
sons of Chhattu Rai, namely, Mukesh Kumar (petitioner) and
Chintu Kumar were fixing the bomboo stick on the land. When
the informant made protest, then both became excited and
started to abuse. At that time, son-in-law of Chhattu Rai having



Khanti in his hand reached there. Thereafter, this petitioner took the Khanti from him and caused assault to the informant, due to which the informant sustained blood oozing injury on his head and fell down on the ground. Thereafter, Chintu Rai and son-in-law of Chhattu Rai caused assault to the informant through, lathi, danda, fist, slaps and legs.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that 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 Sheela Devi, the mother of the petitioner, Gopalpur P.S. Case No.251 of 2019 was also instituted against the informant and others. Moreover, the injuries, as found on the person of the informant, are simple in nature.

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 Judge-IX-cum-Additional Chief Judicial Magistrate, Patna, in connection with Gopalpur P.S. Case



No.250 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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