

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25489 of 2020**

Arising Out of PS. Case No.-38 Year-2020 Thana- GOPALPUR District- Bhagalpur

1. Nandan Kumar, Son of Bharat Yadav @ Bhato, Resident of Village- Bhawanipur, P.S.- Rangra O.P.- District- Bhagalpur.
2. Pritam Kumar, Son of Sunil Yadav, Resident of Village- Bhawanipur, P.S.- Rangra O.P.- District- Bhagalpur.
3. Sunil Yadav, Son of Late Hisabi Yadav, Resident of Village- Bhawanipur, P.S.- Rangra O.P.- District- Bhagalpur.
4. Bharat Yadav @ Bharat Pd. Yadav @ Bhato, Son of Late Hisabi Yadav, Resident of Village- Bhawanipur, P.S.- Rangra O.P.- District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

2 21-10-2020 In view of the submission and undertaking of the learned counsel for the petitioners, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Gopalpur (Rangra O.P.) P.S. Case No. 38 of 2020,



registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that the construction material was being unloaded at the door of the informant, Ratnesh Bharti, for construction of the boundary wall. At that time, petitioners along with some others came at his door and started to abuse and cause assault, making claim that the land is belonging to them. In the meantime, they started firing, in which, his wife sustained injury. Thereafter, the tractor driver was also threatened and due to fear, he moved from there without unloading the sand.

Learned counsel for the petitioners submits that, in fact, due to dispute of demarcation of land, hot talk was exchanged in between the family of the informant and the petitioners, in which, both side received slit injury, regarding which, Bharat Yadav (petitioner no.4) also lodged Gopalpur (Rangra O.P.) P.S. Case No. 39 of 2020 regarding the same occurrence on 18.02.2020 against Putul Yadav, brother of the informant. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Chief Judicial Magistrate, Naugachia, Bhagalpur, in connection with Gopalpur (Rangra O.P.) P.S. Case No. 38 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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