

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25500 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- SHANKARPUR District- Madhepura

1. Amit Kumar, S/o Sikendra Yadav, Resident of Village- Maura, Jharkaha, P.S.- Shankarpur, District- Madhepura.
2. Brajesh Kumar @ Brajesh Yadav, Son of Sikendra Yadav, Resident of Village- Maura, Jharkaha, P.S.- Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-11-2020 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 Shankarpur P.S. Case No. 145 of 2019, registered under Sections 147, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.



The accusation is that six persons named in the FIR including the petitioners along with 10 to 15 unknown came at the door of the informant, Praveen Kumar Yadav, having three-nut, lathi, Farsa, stick and iron rod in their hand. At that time, Sumit Yadav by making firing gave iron rod blow at his head. When his wife reached to save him then Amit Kumar (petitioner no.1) gave Dabia blow at her head. Thereafter, her old mother and disabled father also reached to save them then Sikendra Yadav started to cause assault to his mother causing fracture injury to her finger. At that time, Brajesh Kumar (petitioner no. 2) caused injury through *Kachia* near the eye of his father and others also threw his household articles and also took sacks of wheat from her house.

Learned counsel for the petitioners submits that due to land dispute, occurrence of *Marpit* took place, in which, petitioners' side also sustained injury, regarding which, Shankarpur P.S. Case No. 144 of 2019 is also instituted on 01.09.2019 on the basis of Fradbeyan of Pavitra Devi, wife of co-accused, Sikendra Devi, against the informant and others. Moreover, in the medical examination, the nature of injuries are kept reserved. 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 A.C.J.M.-I, Madhepura, in connection with Shankarpur P.S. Case No. 145 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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