

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31736 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- ARER District- Madhubani

1. PULKIT YADAV Son of Late Mohit Yadav Resident of Village- Ramnagar, P.S.- Arer, District- Madhubani.
2. Manoj Yadav S/o Shri Pulkit Yadav Resident of Village- Ramnagar, P.S.- Arer, District- Madhubani.
3. Saroj Yadav S/o Shri Pulkit Yadav Resident of Village- Ramnagar, P.S.- Arer, District- Madhubani.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate.
For the State	:	Mr. Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-12-2020 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 office vide its notes dated 24.11.2020, 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 seek bail in connection with Arer P.S. Case No.41 of 2020 registered under Sections 147, 148, 341,



323, 325, 326, 307, 447, 448, 379, 354, 504 and 506 of the Indian Penal Code.

The accusation is that on 19.03.2020 at about 08.00 A.M., when the informant Shyam Sundar Yadav, had gone to the canal of his village, then he came to know that his own brother Pulkit Yadav (petitioner no.1) was damaging his house through J.C.B. Machine. Thereafter, the informant went there and saw that his brother Pulkit Yadav (petitioner no.1) was engaged in damaging his house. When the informant made protest, then his sister-in-law Sheela Devi, wife of Pulkit Yadav (petitioner no.1), spread the chilly powder on him, due to which the informant became unable to see the scene. Thereafter, Pulkit Yadav (petitioner no.1) and Manoj Yadav (petitioner no.2), the brother and nephew respectively of the informant, Anita Devi, the wife of Manoj Yadav (petitioner no.2), Saroj Yadav (petitioner no.3), another nephew of the informant, Manjula Devi, the wife of Saroj Yadav (petitioner no.3), Ram Lagan Yadav, the elder brother of the informant, and Sunil Yadav, the son of Ram Lagan Yadav, the elder brother of the informant, having iron rod and lathi in their hand started to cause assault to the informant causing fracture injury on his hand and leg, due to which the informant fell down and became unconscious.



Thereafter, they snatched the gold chain of the informant. When Fulo Devi, the wife of the informant, rushed to save the informant, then she was also assaulted. Thereafter, all entered into the house of the informant and took away the valuable articles from there.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1 is brother, whereas the petitioner nos.2 and 3 are the nephews of the informant, In fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties but with an ill motive, the informant has lodged the present case. Further submission is that out of the four injuries of the informant, Injury No.1 is pain/swelling and deformity over left leg, Injury No.2 is pain/swelling over right forearm, Injury No.3 is pain/swelling over over knee and Injury No.4 is pain around the back of trunk. The Injury Nos.1 and 2 are said to be grievous in nature. The petitioners have no criminal antecedents and are in custody since 01.06.2020. On investigation, the police has already submitted the charge-sheet against the petitioners.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Munsif-cum-Judicial Magistrate, First Class, Benipatti, in connection with Arer P.S. Case No.41 of 2020.

(Rajendra Kumar Mishra, J)

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