

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81629 of 2019

Arising Out of PS. Case No.-72 Year-2019 Thana- NAUHATTA District- Saharsa

1. LALAN YADAV Son of Late Ballav Yadav Resident of Village- Jhadwra, P.S.- Nauhatta, District- Saharsa.
2. Baijnath Yadav Son of Late Baldev Yadav Resident of Village- Jhadwra, P.S.- Nauhatta, District- Saharsa.
3. Ram Yadav Son of Chandeshwari Yadav Resident of Village- Jhadwra, P.S.- Nauhatta, District- Saharsa.
4. Nitish Yadav @ Nitish Kumar Son of Dev Narayan Yadav Resident of Village- Jhadwra, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 03-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nauhatta P.S. Case No.72 of 2019 registered under Sections 314, 323, 325 and 307/34 of the Indian Penal Code.

The accusation is that in the east-north of the house of the informant, the work for constructing the Road was going on. When the informant asked to started the road construction work after soiling the road, then 9 persons, named in the F.I.R., including the petitioners started to abuse him. When the



informant made protest, then Vindeshwari Yadav caused assault to the informant on his head through lathi, due to which the informant fell down. When Bhupendra Yadav rushed to save the informant, then the petitioner no.1 Lalan Yadav caused assault to him. In that course, when Rajiv Kumar rushed to save them, then Rajendra Yadav assaulted him through lathi. Anand Kumar was assaulted by the petitioner no.2 Baijnath Yadav. Vijay Kumar Yadav was assaulted by the petitioner no.3 Ram Yadav through lathi.

Learned counsel for the petitioners submits that, in fact, due to objection made by the informant to construct the road, the occurrence of “Maar-Peet” took place in between the parties in which the petitioners’ side also sustained injury. Moreover, the injuries, as found on the person of the informant and other injured, are simple in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, 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 Sri Praduman Kumar, Judicial



Magistrate, First Class, Saharsa, in connection with Nauhatta
P.S. Case No.72 of 2019, subject to the conditions laid down
under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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