

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83468 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- MEHANDIA District- Jehanabad

1. Nand Bhagat, Son of Late Parmeshwar Bhagat Resident of Village - Masuda, P.S.- Mehandia, Distt - Arwal.
2. Krishna Bhagat Son of Nand Bhagat Resident of Village - Masuda, P.S.- Mehandia, Distt - Arwal.
3. Baliram Bhagat Son of Nand Bhagat Resident of Village - Masuda, P.S.- Mehandia, Distt - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mehandia P.S. Case no. 86 of 2019, registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The accusation is that on 05.09.2019 at about 8.00 A.M., informant Dhirendra Kumar Bhagat along with his brothers Yogendra Bhagat and Ravindra Bhagat were present at his house. At that time his cousin Nand Bhagat (Petitioner No.1) came there and started quarreling with his brother Yogendra Bhagat then informant told him that all the three



pattidar will have 1/3 equal share and also asked for measurement then petitioner No.1 started giving threatening. In the meantime, Krishna Bhagat and Baliram Bhagat both sons of Nand Bhagat came there armed with lathi, danda etc. and started assaulting to his brothers. Thereupon, they sustained grievous injury at his head then informant rushed to save his brother then he also received injury at his head and his another brother Ravindra Bhagat rushed to save then petitioner No.1 caused injury to him at his head.

Learned counsel for the petitioners submits that the occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Mehandia P.S. Case No. 87 of 2019 was also instituted on the basis of Meena Devi, wife of petitioner No.1. Moreover, injuries of injured Dharendra Bhagat and Ravindra Bhagat are simple in nature, whereas, the injury found on the skull of Yongendra Bhagat has been kept reserved. The 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 four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Arwal, Jehanabad in connection with Mehandia P.S. Case No. 86 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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