

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85183 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- PHULWARIYA District- Gopalganj

1. RAJESH SINGH Son of Late Sri Bhagwan Singh Resident of Village - Rampur Kala, P.S.- Phulwaria, Distt - Gopalganj.
2. Nagendra Singh @ Narendra Singh Son of Late Sri Bhagwan Singh Resident of Village - Rampur Kala, P.S.- Phulwaria, Distt - Gopalganj.
3. Dhiraj Kumar Son of Nagendra Singh Resident of Village - Rampur Kala, P.S.- Phulwaria, Distt - Gopalganj.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Shivesh Chandra Mishra, Advocate. Mr. Shailendra Kumar, Advocate. Mr. Vyas Kumar Mishra, Advocate.
For the State	:	Mrs. Nirmala Kumari, A.P.P.
For the Informant	:	Mr. Lokesh Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-01-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Phulwaria P.S. Case No.226 of 2019 registered under Sections 341, 323, 324, 447, 325, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that when the informant Wakil Singh was sitting at his door, at that time, Basant Kumar and Rajan Kumar, both sons of the petitioner no.1, namely, Rajesh



Singh, who were armed with 'Daab' and sword attacked at him. When Amit Kumar, the son of the informant, rushed to save the informant, then Basant Kumar gave 'Daab' blow at him causing injury on the back of his neck and he fell down on the ground. Thereafter, the petitioner no.1, namely, Rajesh Singh, sat on the head of Amit Kumar and asked to cut his whole neck and caused cut injury on his neck. On the alarm being raised by the informant, when Shivam Kumar, another son of the informant, rushed, then Rajan Singh caused cut injury on the back of his neck through sword, then he fell down on the ground. Thereafter, Mantu Kumar, Dhiraj Kumar (petitioner no.3) and Mausam Kumar started to cause assault to the both sons of the informant and Mantu Kumar caused cut injury to Amit through 'Farsa' on his right shoulder, whereas the petitioner no.3 caused cut injury at the thigh of the left leg of Shivam Kumar. In the meantime, when the family members of the informant came out of the house, then the petitioner no.1, petitioner no.2 and Kapildeo Singh catching the hair of the ladies started to commit "Maar-Peet" with them.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of "Maar-Peet" took place between the parties in which the petitioners' side also sustained injury



regarding which on the basis of the fardbeyan of the petitioner no.1, Fulwaria P.S. Case No.227 of 2019 was also instituted against the informant and others. 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 the Additional Chief Judicial Magistrate-IX, Gopalganj, in connection with Phulwaria P.S. Case No.226 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

