

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32160 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- KUMAR KHAND District- Madhepura

1. SAJJAN YADAV Son of Late Asarphi Yadav Resident of Village - Sihpur, Ward No. 04, Police Station - Kumarkhand, District - Madhepura.
2. Ramakant Yadav Son of Sajjan Yadav Resident of Village - Sihpur, Ward No. 04, Police Station - Kumarkhand, District - Madhepura.
3. Radhakant Yadav Son of Sajjan Yadav Resident of Village - Sihpur, Ward No. 04, Police Station - Kumarkhand, District - Madhepura.
4. Pawan Yadav Son of Sajjan Yadav Resident of Village - Sihpur, Ward No. 04, Police Station - Kumarkhand, District - Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Uday Chand Prasad
For the Opposite Party/s :	Mr. Sharada Nand Mishra
	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 27.11.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners, learned counsel appearing for the informant and learned A.P.P. appearing for the State.

The petitioners apprehend their arrest in connection with Kumarkhand P.S. Case no. 32 of 2020, registered under Sections 147, 148, 149, 323, 307, 379, 504



and 506 of the Indian Penal Code.

The accusation is that on 10.02.2020, in the morning, 12 persons named in the F.I.R., including the petitioners, came at the land of informant Pramod Yadav and started to remove wheat straw and the plants situated there. When informant made protest then all became adamant to cause assault. In that course, Ramakant Yadav gave Farsa blow at the head of Bindeshwari Prasad Yadav, father of informant, Shivpujan Yadav caused fracture injury at the hand of the informant, Pawan Yadav caused injury to Manoj Yadav, brother of informant, through rod as well as Shivpujan Yadav, Radhakant Yadav and Ramakant Yadav abused to Rinku Devi, sister-in-law of informant and torn her clothes. At that time, all entered in the house and took cash of Rs. 5,000/- and ornaments on breaking the box.

Learned counsel for the petitioners submits that while Sajjan Yadav (Petitioner No.1) is named in the F.I.R., but no specific overt act has been attributed against him. Further submission is that, in fact, petitioners and informant are next door neighbours and occurrence took place due to land dispute in which both sides sustained injuries regarding which Kumarkhand P.S. Case No. 33 of 2020 is also instituted on



10.02.2020 on the basis of fardbeyan of petitioner No.1, while some persons sustained injury in the occurrence, but the injury was not found grievous in nature. 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) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 32 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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