

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32914 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- TETERHAT District- Lakhisarai

1. MADAN YADAV Son of Sevak Yadav Resident of Village- Khairi, P.S.- Teterhat, District- Lakhisarai.
2. Phulan Yadav Son of Madan Yadav Resident of Village- Khairi, P.S.- Teterhat, District- Lakhisarai.
3. Rajesh Yadav Son of Jahuri Yadav Resident of Village- Khairi, P.S.- Teterhat, District- Lakhisarai.
4. Gautam Yadav Son of Jahuri Yadav Resident of Village- Khairi, P.S.- Teterhat, District- Lakhisarai.
5. Jahuri Yadav Son of Sevak Yadav Resident of Village- Khairi, P.S.- Teterhat, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-03-2021 Heard both sides.

The petitioners apprehend their arrest in Teterhat P.S. case No. 51/2020 registered under Section 341, 323, 324, 307, 504,34 of the IPC.

The informant named altogether five persons, the petitioners, and alleged that while Madan Yadav was digging earth for plinth he objected and requested him to dig earth for plinth after getting the land measured. On such, Madan Yadav, petitioner No.1, assaulted the informant, Mahesh Mahto, with



Khanti on his head. Phulan Yadav, petitioner No.2, assaulted Mukesh Mahto with Khanti on his head. Gautam Yadav, petitioner No.4, assaulted the mother of informant. Villagers came and save the informant and his family members from further assault.

The learned counsel for the petitioners submits that there is land dispute between two sides and on account of such the occurrence took place. All the three injured, Mahesh Mahto, Mukesh Mahto and their mother got simple injuries on account of assault made by hard and blunt object. A Title Suit being Title Suit No. 164/2019 is pending between two sides with regard to the same land.

Taking into consideration the facts that on account of land dispute the occurrence took place and the injured got simple injuries on account of assault made by petitioner No.1, petitioner No.2 and petitioner No.4 and there is no specific allegation of assault against other petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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 learned Chief Judicial Magistrate,
Lakhisarai in connection with Tatarhat P.S. case No. 51/2020,
subject to conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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