

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32696 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- AURAI District- Muzaffarpur

1. KAMESHWAR RAI, Son of Late Bashishtha Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
2. MUKESH RAI Son of Dev Narayan Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
3. RAMESH RAI @ RAMESH KUMAR Son of Dev Narayan Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
4. HARI KISHORE RAI @ HARI KISHORE KUMAR Son of Satyanarayan Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
5. SUNIL KUMAR Son of Kameshwar Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
6. SATYA NARAYAN RAI Son of Late Bashishtha Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
7. DEV NARAYAN RAI Son of Late Bashishtha Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
8. GANESH RAI Son of Baidyanath Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.
9. SHASHI RAI Son of Nand Kishore Rai @ Bhuil Rai Resident of Village - Abhimanpur, P.S. - Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-02-2021 Heard Mr. Hari Kishore Thakur, learned counsel

for the petitioners and Mr. Bal Mukund Prasad Sinha,

learned APP for the State.



arrest in connection with Aurai P. S. Case No. 61 of 2020 dated 19.03.2020, instituted for the offences under Sections 147, 149, 341, 342, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The petitioner nos. 1, 6 and 7 are full brothers of the informant. All the accused persons are said to have assaulted the informant and his sons. There is past enmity between the parties and 107 and 144 Cr.P.C. proceedings are pending between them.

The informant is said to have received injuries in his finger which has been reported to be grievous in nature.

It further appears from the F.I.R. that petitioner no. 1 and 2 are said to have assaulted the victims by means of axe whereas the petitioner no. 5 is said to have perpetrated assault by means of a *farsa*. The injuries suffered by the victims other than the informant have been opined to be simple in nature.

The learned counsel for the petitioners has



submitted that the dispute is only because of the partition of ancestral land.

Considering the nature of accusation and the background facts as well as the relationship between the parties, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 13th cum Sub Judge 14th, Muzaffarpur, in connection with Aurai P. S. Case No. 61 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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