

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34094 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- SAHPUR District- Bhojpur

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1. VISHWANATH YADAV SHEODHAR YADAV Resident of Village - Damodarpur, P.S.- Shahpur, Distt.- Bhojpur at Arah.
 2. Moti Lal Yadav Son of Late Sheodhar Yadav Resident of Village - Damodarpur, P.S.- Shahpur, Distt.- Bhojpur at Arah.
 3. Ravi Ranjan Yadav Son of Manager Yadav Resident of Village - Damodarpur, P.S.- Shahpur, Distt.- Bhojpur at Arah.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-03-2021 Heard both sides.

The petitioners apprehend their arrest in Sahpur P.S. case No. 159/2020 registered under Section 147, 148, 149, 307, 427, 504 of the IPC. Later on Section 302 of the IPC was added.

The informant named as many as 18 persons in the FIR and alleged that they all were encroaching the land of the informant and constructing thatched boundary wall. Vishwanath Yadav and Moti Lal Yadav, petitioners No.1 and 2, are said to have exhorted on such Saheb Yadav and Vinod Yadav assaulted the informant on his head, hand and leg. When Nanhak Yadav, Dhanji Yadav and Dhiraj Yadav came to save, Tuphani Yadav, Bandhu Yada and, Dharmendra Yadav assaulted Nanhak Yadav on his head and other parts of his body. Nanhak Yadav got grievous injuries. Ravi Ranjan Yadav, petitioner No.3, is said to have assaulted Dhanji Yadav.



The learned counsel for the petitioners submits that Dhanji Yadav got simple injuries caused by hard and blunt object. There is no allegation of assault against petitioner No.1 and 2. There is counter version being Sahpur (Bahoranpur O.P.) P.S. case No. 158 of 2020. On account of land dispute both sides entered into scuffle and made assault on each other in which Nanhak Yadav got grievous injuries but petitioners are not the assailants of Nanhak Yadav.

Considering the facts aforesaid and nature of allegation made against the 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, Bhojpur, Ara in connection with Sahpur P.S. case No. 159/2020 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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