

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37389 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- LAUKAHA District- Madhubani

1. Yogendra Marik S/o Gudar Marik R/o Village- Hingwa, P.S.- Laukaha, District- Madhubani
2. Ramchandra Marik S/o Gudar Marik R/o Village- Hingwa, P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-06-2021 Heard both sides.

The matter has been taken up through video conferencing.

The petitioners apprehend their arrest in Laukaha PS Case No. 10/2020 registered under Section 147, 148, 149, 447, 341, 323, 324, 427, 435, 504 of the Indian Penal Code and u/s 27 of the Arms Act.

The informant named the petitioners and other accused persons and alleged that in the night she heard sound of whisper on such she came out from her house. The informant saw the accused persons armed with deadly weapons. Ashok Marik and Ajit Marik made firing. The informant fell



down on the ground. When Samdhi of the informant came in her rescue, Ramchandra Marik and Yogendra Marik, both petitioners, are alleged to have assaulted him with Farsa on his head.

The learned counsel for the petitioners submits that the petitioners are innocent and they have, in fact, committed no offence. There is counter version being Laukaha PS case No. 9/2020. Similarly situated other accused persons, namely, Ghuran Marik, Ashok Marik, Ajit Marik, Shantosh Mangaradaita and Raj Kumar Yadav have already been granted anticipatory bail. The petitioners are alleged to have assaulted Raj Kishore Mahatman, Samdhi of the informant, but one simple injury is found on the head of Samdhi of the informant. Two persons are alleged to have assaulted but only one injury is found. There is series of litigation between two sides on account of land dispute.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioners and the fact that both the petitioners are alleged to have assaulted Samdhi of the informant with Farsa on his head but only one injury is found, that too simple in nature, the petitioners, above named, in the event of their arrest or surrender before the court below within a



period of four weeks from the date of receipt of this order shall be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. Kumar, learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Laukaha PS case No.10/2020, subject to conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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