

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37842 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- AUANGARI District- Nalanda

1. Minta Devi, W/o Sanjay Kumar, Resident of Village-Bans Bigha, Police Station-Auangari, District-Nalanda.
2. Sheela Devi, W/o Viresh Kumar, Resident of Village-Bans Bigha, Police Station-Auangari, District-Nalanda.
3. Viresh Kumar @ Viresh Prasad @ Birendra Prasad, S/o Late Baleshwar Prasad @ Baleshwar Gop, Resident of Village-Bans Bigha, Police Station-Auangari, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Auangari P.S. Case No. 44 of 2020, registered under Sections 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the morning of 28.05.2020,



due to dispute of partition of the land, hot talk was being exchanged. At that time, six persons named in the FIR including the petitioners started to abuse and cause assault. In that course, Sanjay Kumar gave lathi blow causing injury at his head and snatched the gold chain from his neck. At that time, his wife, Gyatri Devi, was also assaulted by Viresh Kumar @ Birendra Prasad (petitioner no.3) and Pawan Kumar due to which, she has pain in her body and her chain was also snatched. Thereafter, Chanchal Kumari and Minta Devi (petitioner no.1) assaulted to his daughter, Ranjan Kumari through stones.

Learned counsel for the petitioners submits that occurrence took place due to land dispute, in which, petitioners' side also sustained injury, regarding which, Auangari P.S. Case No. 43 of 2020 is also instituted on the basis of Fradbeyan of Birendra Prasad (petitioner no.3) on 28.05.2020 against the informant and others. Moreover, the injuries, as found on the person of the informant and his wife, Gaytri Devi, are simple in nature. Further submission is that 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 six 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 the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Auangari P.S. Case No. 44 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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