

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2377 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- RAFIGANJ District- Aurangabad

1. PARSHURAM YADAV @ PRASHURAM YADAV S/O LATE NEMON YADAV RESIDENT OFVILLAGE PATHAK BIGHA, P.O.-POGAR, P.S RAFIGANJ, DISTRICT AURANGABAD, BIHAR
2. LALENDRA YADAV S/O LATE ARJUN YADAV RESIDENT OFVILLAGE PATHAK BIGHA, P.O.-POGAR, P.S RAFIGANJ, DISTRICT AURANGABAD, BIHAR
3. SANJIT KUMAR S/O PARSURAM YADAV @ PRASHURAM YADAV RESIDENT OFVILLAGE PATHAK BIGHA, P.O.-POGAR, P.S RAFIGANJ, DISTRICT AURANGABAD, BIHAR
4. SUJIT KUMAR S/O PARSURAM YADAV @ PRASHURAM YADAV RESIDENT OFVILLAGE PATHAK BIGHA, P.O.-POGAR, P.S RAFIGANJ, DISTRICT AURANGABAD, BIHAR

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Rajeev Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-09-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 06.01.2021, within four weeks of starting of 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 Rafiganj P.S. Case no. 156 of 2020, registered



under Sections 307, 341, 323, 324, 325, 504, 506, 147 and 148 of the Indian Penal Code.

The accusation is that in the evening of 17.07.2020 informant Ramkeshwar Yadav along with his sons Ashok Yadav and Sunil Yadav were doing the work at his filed. In the meantime, his younger son was returning to house after grazing the she buffalo, before sometimes Doman Yadav, uncle of informant, forbade to Parshuram Yadav (Petitioner No.1) to plough his filed as his land was forcibly occupied by Parshuram Yadav and his family members due to that reasons, Parshuram Yadav (Petitioner No.1), Bhim Yadav, Chhotu Yadav, Lalendra Yadav (Petitioner No.2), Sujit Kumar (Petitioner No.4) and Sanjit Kumar (Petitioner No.3) started to cause assault to his younger son Ranjit Kumar. On hearing hulla, informant rushed there then he was also assaulted through Lathi by Bhim Yadav. When his both sons Ashok Yadav and Sunil Yadav rushed to save him then Sujit Kumar (Petitioner No.4) caused injury through Khanti at the head of Ashok Yadav, son of informant, and Sanjit Kumar (Petitioner No.3), Chhotu Kumar and Sujit Kumar also caused injury through Lathi, Khanti and brick to his another son Sunil Yadav , who received fracture injury in his hand.



Learned counsel for the petitioners submits that occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Rafiganj P.S. Case No. 157 of 2020 was instituted by co-accused Bhim Yadav for the offence under Sections 447, 341, 323, 324, 307, 504, 506 and 379/34 of the Indian Penal Code against informant of the present case and his other family members. Sri Krishna Prasad Singh, learned Senior counsel appearing on behalf of petitioners submits, at bar, that all the 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 four 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 learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 156 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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