

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39425 of 2020

Arising Out of PS. Case No.-155 Year-2018 Thana- ALOULI District- Khagaria

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1. Kishor Yadav, S/o Parmeshwari Yadav, Resident of Village- Chhilkauri, P.S.- Alauli, District- Khagaria.
 2. Shekhar Yadav, S/o Parmeshwari Yadav, Resident of Village- Chhilkauri, P.S.- Alauli, District- Khagaria.
 3. Gopal Yadav, S/o Karan Yadav, Resident of Village- Chhilkauri, P.S.- Alauli, District- Khagaria.
 4. Amarjeet Yadav, S/o Karan Yadav, Resident of Village- Chhilkauri, P.S.- Alauli, District- Khagaria.
 5. Dharmendra Yadav, S/o Late Maksudan Yadav, Resident of Village- Chhilkauri, P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-07-2021 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 Alauli P.S. Case No. 155 of 2018, registered under Sections 147, 341, 323, 504, 379 and 307 of the Indian Penal Code.



The accusation is that in the morning of 24.05.2018, five persons named in the FIR including the petitioners having lathi, iron rod and pistol in their hand entered in the courtyard of informant, Mohan Yadav, and started to cause assault. In that course, Kishore Yadav (petitioner no.1) caused injury through butt of the pistol at his right shoulder, in which, he sustained internal injury with swelling. At that time, Gopal Yadav snatched cash of Rs. 10,000/- from his pocket and gold locket from his neck. When his wife, Ranjo Devi rushed to save him then she was also assaulted through fist and slaps and Shekhar Yadav (petitioner no.2) snatched her ear ring. Thereafter, his niece, Rimjhim Devi, rushed to save then she was also assaulted and Dharmendra Yadav (petitioner no.5) snatched gold chain from her neck.

Learned counsel for the petitioners submits that informant and the petitioners are Gotia and due to land dispute, occurrence of *Marpit* took place, in which, petitioners' side also sustained injury, regarding which, Alauli P.S. Case No. 156 of 2018 is also instituted on 25.05.2018 against the informant and others on the basis of Fradbeyan of Dharmendra Yadav (petitioner no.5).

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 Judicial Magistrate Ist Class, Khagaria, in connection with Alauli P.S. Case No. 155 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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