

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2239 of 2021

Arising Out of PS. Case No.-153 Year-2019 Thana- MASHRAK District- Saran

Jamadar Rai, Son of Chhuchhu Rai, Resident of Village- Mashrakh Sout Tola,
P.S.- Mashrakh, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-09-2021 As prayed for, let the learned counsel appearing for the petitioner 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 petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Mashrak P.S. Case No. 153 of 2019, registered under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

The accusation is that Jamadar Rai (petitioner), *Patidar* of the informant, Krishna Rai, had exchanged the land from Ram Narayan Rai and over the said land, Ram Narayan Rai was engaged in digging the land for construction of the house then informant, due to land dispute, made objection, on which, Jamadar Rai started to



abuse and cause injury through lathi at his head. Thereafter, eight other persons named in the FIR variously armed with weapons came and caused injury to the informant.

Learned counsel for the petitioner submits that due to land dispute, occurrence of *Marpit* took place, in which, petitioner's side also sustained injury, regarding which, Mashrak P.S. Case No. 152 of 2019 is also instituted on the basis of Fradbeyan of Ajay Rai, son of petitioner. Further submission is that in fact, three injuries, as found on the person of the informant, are simple in nature.

Having regard to the facts and circumstances of the case, let the petitioner, Jamadar Rai, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Chapra, Saran, in connection with Mashrak P.S. Case No. 153 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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