

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39928 of 2020

Arising Out of PS. Case No.-190 Year-2020 Thana- KHAIRA District- Jamui

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1. VIKRAM KUMAR @ VIKKY KUMAR @ VIKI Son of Ganesh Mandal
Resident of Village- Kashmir, P.S.- Khaira, District- Jamui.
 2. Rajdeo Mandal @ Fakir Mandal @ Fakira Mandal Son of Late Basudeo
Mandal Resident of Village- Kashmir, P.S.- Khaira, District- Jamui.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Umesh Prasad, Advocate.

For the State : Mr. Ashok Kumar Singh, A.P.P.

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

ORAL ORDER

2 19-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 26.12.2020, 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 Khaira P.S. Case No.190 of 2020 registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The accusation is that on 17.05.2020, the informant Dinesh Yadav was irrigating his moong crop. At that time, four



persons, named in the F.I.R., including the petitioners reached there and started to caused assault to the informant in which the informant sustained blood oozing injury on the back of his head. When the informant started to flee away, then again injury was caused to him at his hand through stick. The cause of occurrence is that near the land of the informant, there is land of the Bihar Government and the accused persons wanted to construct the house on that land after cutting the green tree and the informant had made protest for the same.

Learned counsel for the petitioners submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the petitioners’ side also sustained injury regarding which on the basis of the fardbeyan of Sunaina Devi, wife of the petitioner no.2, Khaira P.S. Case No.192 of 2020 was also instituted against the prosecutor party. Further submission is that while the allegation has been made against the petitioners that they along with two others caused assault to the informant but only two injuries were found on the person of the informant, out of which one injury is on his occipital region, which is said to be grievous in nature, and another is body pain, which is simple in nature. The petitioners have no criminal antecedents.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No.190 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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