

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2303 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- MADANPUR District- Aurangabad

1. Nand Kishor Yadav, Son of Late Sahdeo Yadav, Resident of Village - Maya Bigha, P.S.- Madanpur, District - Aurangabad (Bihar)
2. Chandan Yadav, Son of Nand Kishor Yadav, Resident of Village - Maya Bigha, P.S.- Madanpur, District - Aurangabad (Bihar)
3. Kundan Yadav, Son of Nand Kishor Yadav, Resident of Village - Maya Bigha, P.S.- Madanpur, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

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, 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 Madanpur P.S. Case No. 164 of 2020, registered under Sections 147, 148, 149, 341, 323, 504, 379 and 307 of the Indian Penal Code.

The accusation is that in the morning of 29.07.2020,



six persons named in the FIR including the petitioners and 27 to 30 unknown having armed with weapons came at the filed of informant, Bishwanath Singh, and started sowing the paddy seeds then informant along with villagers went there and made protest, on which, all started to cause assault. At that time, Chandan Yadav (petitioner no.2) started to assault him and Kundan Yadav (petitioner no.3) gave Garasa blow causing injury at his head, who fell down. Thereafter, Chandan Yadav (petitioner no.2) snatched the gold chain from his neck. In the meantime, Nand Kishore Yadav (petitioner no.1) gave axe blow at the head of Arjun Yadav.

Learned counsel for the petitioners submits that due to land dispute, occurrence of *Marpit* took place, in which, petitioners' side also sustained injury, regarding which, Madanpur P.S. Case No. 165 of 2020 is also instituted on the basis of Fradbeyan of Shanti Devi, wife of petitioner no.1. Further submission is that petitioners have been made accused in three cases due to land dispute, but in all three cases, they are on bail, as detailed in paragraph 3 of the petition.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of thier 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 Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 164 of 2020, 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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