

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12621 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- WAZIRGANJ District- Gaya

1. DHARMENDRA YADAV SON OF ARJUN YADAV RESIDENT OF VILLAGE- GHURIYAWAN BHARETHI, P.S.- WAZIRGANJ, DISTRICT- GAYA
2. SIKANDER YADAV @ SIKENDAR KUMAR @ SIKENDAR KUMAR YADAV SON OF ARJUN YADAV RESIDENT OF VILLAGE- GHURIYAWAN BHARETHI, P.S.- WAZIRGANJ, DISTRICT- GAYA
3. SATENDRA YADAV @ SATYENDRA KUMAR SON OF ARJUN YADAV RESIDENT OF VILLAGE- GHURIYAWAN BHARETHI, P.S.- WAZIRGANJ, DISTRICT- GAYA
4. ARBIND YADAV @ ARVIND KUMAR SON OF ARJUN YADAV RESIDENT OF VILLAGE- GHURIYAWAN BHARETHI, P.S.- WAZIRGANJ, DISTRICT- GAYA
5. ARJUN YADAV SON OF LATE MANGAL YADAV RESIDENT OF VILLAGE- GHURIYAWAN BHARETHI, P.S.- WAZIRGANJ, DISTRICT- GAYA

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Arvind Kumar Singh
For the Opposite Party/s :	Ms.Rita Verma
	Ms. Kanchan Jha

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 20-06-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Wazirganj P.S. Case No. 276 of 2020, registered for the offences punishable under Sections 341, 448, 323, 324, 326, 307 and 506/34



of the Indian Penal Code.

As per allegation, seven named accused persons including the petitioners assaulted the family members of the informant side. The informant Farukh Ansari sustained injuries on his head. His brother Md. Mumtaz sustained injuries on his head, legs and other parts of the body including the scapular region. The accused persons also assaulted the nephew of the informant.

Learned counsel for the petitioners has submitted that the petitioners are next door neighbors. He has submitted further that when two accused persons Renu Devi and Pooja Devi were in jail in this case, the members of the prosecution side entered into the house of the petitioner and they misbehaved with Baby Devi, sister of the petitioner No. 1 to 4 and also Savitri Devi, in this respect, Wazirganj P.S. Case No. 404 of 2020 has been lodged. He has also submitted that all the injuries suffered by the informant side are simple in nature except injury No. 1 and 4 on the person of Md. Mumtaz which are grievous in nature.

On the other hand, learned Addl.P.P. as well as learned counsel for the informant opposed the prayer for bail by submitting that the accused persons badly assaulted the members of the informant side and Md. Mumtaz has sustained grievous injuries.

Although, Md. Mumtaz has sustained grievous injuries but it has not specifically been attributed to any of the petitioners but it is general and omnibus. The FIR shows that there is land dispute



between both the parties. The petitioners are the persons of clean antecedents.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail 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, Gaya in connection with Wazirganj P.S. Case No. 276 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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