

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63263 of 2021

Arising Out of PS. Case No.-216 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

1. UPENDRA YADAV Son of Saryoog Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.
2. Parvesh Kumar @ Ram Parvesh Kumar Son of Sitaram Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.
3. Sharwan Yadav Son of Late Saryoog Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.
4. Gautam Kumar Son of Upendra Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.
5. Uday Yadav @ Uday Kumar Son of Sharwan Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.
6. Rohit Kumar Son of Sharwan Yadav Resident of Village - Singhoul, P.S.- Muffasil, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 20-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 325, 307, 504, 379 and 34 of the Indian Penal Code, registered in connection with



Muffasil P.S.case No. 216 of 2021.

As per allegation, co-accused Uday Yadav was forcibly ploughing the field of the informant by tractor. When the informant protested, Uday Yadav, petitioner no.5 abused him. Thereafter co-accused persons including the petitioners came and they started assaulting the family members of the informant. Petitioner no.6 assaulted the informant on his head with iron rod. Petitioner no.2 Parvesh Kumar assaulted the father of the informant with *khanti* on his head and Sharvan Yadav assaulted the father of the informant on his hand and leg. They also assaulted the brothers of the informant namely Surendra Kumar and Sugreev Kumar.

The learned counsel for the petitioners has submitted that petitioners are innocent. They have no criminal antecedents. There is case and counter case. Both the parties are agnates and there is land dispute between the parties. He has submitted further that all the injuries are simple in nature, except one grievous injury on the person of Bindeshwar Yadav which is attributed against petitioner no.2 Pravesk Kumar @ Ram Parvesh Kumar.

In view of aforesaid facts and circumstances, prayer for anticipatory bail on behalf of petitioner no.2 Parvesh Kumar



@ Ram Parvesh Kumar is hereby rejected.

So far as petitioner nos. 1, 3, 4, 5 and 6 are concerned, let them above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, 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 Chief Judicial Magistrate, Nawada in connection with Muffasil P.S.Case No. 216 of 2021, 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 as provided hereinabove, failing which the matter shall be brought to the notice of this Court

(Nawneet Kumar Pandey, J)

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