

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1080 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- GAUNAHA District- West Champaran

1. Binda Prasad Yadav S/o Late Jata Raut Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
2. Brijesh Yadav @ Brajesh Kumar Yadav S/o Late Jata Raut Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
3. Karan Yadav @ Chhotu @ Karan Roy S/O Brijesh Yadav @ Brajesh Kumar Yadav Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
4. Bimal Sahani @ Vimal Faujdar S/o Late Bhikhari Chaudhary Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
5. Upendra Chaudhary @ Upendra Kumar S/o Late Bhikhari Chaudhary Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
6. Anwarul Khan @ Anwarul Miyan S/o Yasin Khan Resident of Village - Gaunaha, P.S. Gaunaha, District- west Champaran.
7. Jitendra Kushwaha S/o Jiut Kushwaha R/o Village Manguraha, P.S. - Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Gaunaha P.S. Case No. 84 of 2021, registered for the offences punishable under Sections 307, 323 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date



and time of occurrence, all the petitioners started erecting wall behind the shop of informant on disputed land after cutting green trees and when the informant raised objection then they started abusing him. Petitioner no. 1 inflicted iron rod on the head of informant causing head injury. Petitioner nos. 2 and 3 assaulted by *Phatta* on his nose, chest and back and petitioner no. 3 strangled his neck. When informant's brother came to rescue he was also assaulted by the accused persons causing injury to him. Thereafter, they fled away by giving threat to pay Rs. 20 lakhs as rangdari.

It is submitted that altercation took place between the parties due to land dispute. Both parties are next door neighbour. There case and counter case. Injuries reported to be simple in nature.

Considering the backdrop in which scuffle took place and nature of injury, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Judicial Magistrate Ist Class, Bettiah, West Champaran in connection



with Gaunaha P.S. Case No. 84 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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