

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66202 of 2023**

Arising Out of PS. Case No.-300 Year-2021 Thana- RAMGARHWA District- East
Champaran

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1. DWARPALI RAI @ DWARPALI YADAV SON OF MATHURA RAI
RESIDENT OF VILLAGE BHAISHNDA, P.S. - RAMGARHWA,
DISTRICT - EAST CHAMPARAN
 2. SURESH RAI SON OF LATE MATHURA RAI RESIDENT OF VILLAGE
BHAISHNDA, P.S. - RAMGARHWA, DISTRICT - EAST CHAMPARAN
 3. SHAMANAND @ SHYAMANAND YADAV SON OF SURESH RAI
RESIDENT OF VILLAGE BHAISHNDA, P.S. - RAMGARHWA,
DISTRICT - EAST CHAMPARAN
 4. BICHENDRA YADAV @ BICHENDRA RAI SON OF CHANDRADEO
YADAV RESIDENT OF VILLAGE BHAISHNDA, P.S. - RAMGARHWA,
DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-10-2023 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 341 , 323 ,
307, 379, 354 and 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date
and time of occurrence all the FIR. named accused persons
including these petitioners armed with weapons, with an
intention to encroach the land of informant started digging
bamboo and when the informant raised objection, on the order



of petitioner No. 4 Birendra Yadav, co-accused- Chandradeo Yadav gave Frasa blow on the head of informant, causing cut injury and bleeding. When the mother of the informant, namely, Taramati Devi came to save the informant, all the accused-persons assaulted her, due to which she also sustained injury on her shoulder and accused-persons also molested her. Petitioner No. 3 Shyamanand Yadav snatched Rs.2,000/- from the pocket of the informant.

4. It is submitted on behalf of the petitioners that there is general and omnibus allegation of assault against these petitioners. The injury report of the mother of the informant is found to be simple in nature by the doctor. Specific allegation of assault is against co-accused Chandra Deo Yadav. Rest of the allegation is ornamental in nature .

5. Learned counsel for the State oppose the bail petition.

6 Considering the nature of injury and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, 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 Chief Judicial Magistrate , Motihari, East



Champaran in connection with Ramgarhwa P.S. Case No. 300
of 2021 , subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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