

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40082 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -NAYA RAM NAGAR District- MUNGER

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1. Pappu Das Son of Late Laxmi Das
 2. Santosh Das Son of Late Laxmi Das. Both resident of Maheshpur, P.S. Tarapur, District Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rounak Kumar Singh "Pankaj", Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-09-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Nayaram Nagar P.S. Case No. 61 of 2016 (G.R. No. 832 of 2016) registered for the offence punishable under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal Code.

The prosecution case is that on 11.05.2016 at about 1:00 P.M., all the FIR named accused persons came near the well situated near the house of informant and thereafter accused Pappu Das and Santosh Das assaulted the informant with *lathi*, *danda*, fists and slaps, as a result of which she became injured. It is further alleged that when her son came to rescue her, accused persons also assaulted and abused him.

It has been submitted by the learned counsel for



the petitioners that they are innocent and have falsely been implicated in the aforesaid case. He submits that the injuries caused on the informant have been found to be simple in nature and the injury found as grievous is not on vital part of the body, hence, no case under Section 307 of the Indian Penal Code is made out against the petitioners. He submits that there is land dispute going on between the parties and a case, bearing Complaint Case No. 498 C of 2016 has been filed by the brother-in-law of the petitioners, namely, Suresh Das against the informant and others.

However, learned A.P.P. for the State submits that petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since both parties have been found to be inimical to each other and injuries have been found to be simple in nature, except, one which has been caused on the non-vital part of the body, let the petitioners, named above, in the event of their arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Munger in

connection with Nayaram Nagar P.S. Case No. 61 of 2016 (G.R. No. 832 of 2016), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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