

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51903 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- BHAGWANPUR District- Begusarai

1. Raja Kumar,
2. Kanhaiya Kumar, Both sons of Shravan Chaudhary and Residents of Village- Augan, Police Station- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking regular bail in connection with Bhagwanpur P. S. Case No. 123 of 2018 registered for the offences punishable under Sections 341, 323, 379, 307, 427, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners and the informant are first cousin. It appears that both the parties have indulged in free fight in which both sides have caused injuries to each other. Learned counsel submits that Annexure-2 is the first information report of Bhagwanpur P. S. Case No. 121 of 2018 which has been lodged from the petitioners' side. It is submitted that even though it is alleged that the petitioner no. 2 was lashed with pistol, there is no allegation of firing against him and the



allegation is that on giving blow by hard and blunt substance on the head but the learned Additional Sessions Judge V, Begusarai while rejecting the prayer of bail of the petitioner has taken note of the nature of the injuries which are said to be simple in nature. Learned counsel submits that the petitioners' side have also suffered injuries all are simple in nature.

Learned APP for the State opposed the prayer of bail of the petitioners.

Considering the facts and circumstances of the case that the parties are related to each other and are fighting due to some personal reasons and in connection with that there is case and counter case lodged by both of them as also that the injuries are simple in nature, let the petitioners Raj Kumar and Kanhaiya Kumar be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P. S. Case No. 123 of 2018, subject to the condition laid down under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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