

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66988 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- CHENARI District- Rohtas

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1. Sumit Kumar @ Surya @ Sumit Kumar Surya, S/o Late Kamal Kumar Gupta, R/o village- Bharndua, P.S.- Chenari, District- Rohtas at Sasaram
 2. Tuntun Kumar, S/o Late Kamal Kumar Gupta, R/o village- Bharndua, P.S.- Chenari, District- Rohtas at Sasaram

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party	:	Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with Chenari P.S. Case No.127 of 2019 registered for the offences punishable under Sections 147, 341, 342, 325, 307, 504 and 506 of the Indian Penal Code.

It is contended by the learned counsel for the petitioners that the petitioners are own agnates and next door neighbours and due to bona fide land dispute, there are several cases pending between them. A title suit, being Title Suit No.394 of 2013 is going on in the court of Sub Judge-1st, Rohtas at Sasaram, which has been filed by the petitioner no.1 against the husband of the informant. It is further contended that



the injuries caused on the person of the informant are either simple in nature or caused on non-vital part of the body. The only injury, which has been found to be grievous on the basis of x-ray report, is fracture of right femur caused by hard and blunt substance. The contention is that though there is omnibus and general allegation against all the petitioners, it is not known who is the author of the grievous injury.

Learned counsel appearing for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV-cum-SJ-XII, Rohtas at Sasaram in connection with Chenari P.S. Case No.127 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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