

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72897 of 2019**

Arising Out of PS. Case No.-165 Year-2019 Thana- OBRA District- Aurangabad

Upendra Kumar , aged about 33 years, Male, Son of Sadanand Mahto @  
Sadanand Mehta Resident of Village- Obra, P.S.- Obra, District- Aurangabad  
(Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Bachan Jee Ojha, Advocate  
For the Opposite Party : Mr. Anant Kumar 1., APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      25-11-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 341, 323, 324, 307 and  
504/34 of the Indian Penal Code.

The prosecution case in short is that on 25.06.2019  
the informant Santosh Kumar returned his house, Obra from  
Aurangabad. On seeing the informant and his wife Sharda Devi,  
the accused Upendra Kumar, Anita Devi and Srikant Kumar told  
them that they have no right to reside in that house, as the  
accused Upendra Kumar got the house and land registered in the  
name of his wife Anita Devi. On objection, they began to abuse  
the informant and his wife. The accused Upendra Kumar  
assaulted Sharda Devi with knife, as such, she sustained injury  
on her neck. When the informant tried to rescue his wife, the



other accused, namely, Anita Devi and Srikant Kumar began to assault him with lathi-danda. Further the accused Upendra Kumar and Srikant Kumar had assaulted the father of the informant, when he was alone in the house.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence. He further submits that there is case and counter case between them. Learned counsel further submits that he assaulted Sharda Devi by knife and later on assaulted Sadanand Mashto but the injury report of Sharda Devi does not support the allegation rather Sharda Devi received injury by hard blunt substance and nature of injuries are simple. Learned counsel further submits that the petitioner has got no criminal antecedent and is in custody since 26.06.2019.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad, in connection with Obra P.S.Case No.165 of 2019.

**(Anjani Kumar Sharan, J)**

B.Kr./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

