

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12905 of 2020

Arising Out of PS. Case No.-638 Year-2019 Thana- ARA NAGAR District- Bhojpur

1. KAMLESH BIND @ KAMLESH PRASAD @ KAMLESH BIN S/O Late Baleshwar Bind Resident of Village - Bind Toli, P.S. - Ara Town, District - Bhojpur.
2. Kunal Bind @ Kunal Kumar S/O Late Indradev Prasad Resident of Village - Bind Toli, P.S. - Ara Town, District - Bhojpur.
3. Harendra Bind @ Harendra Prasad S/O Ashok Bind @ Bandhu Resident of Village - Bind Toli, P.S. - Ara Town, District - Bhojpur.
4. Vishal Bind @ Baula @ Vishal Kumar @ Baila S/O Bharasa Bind Resident of Village - Bind Toli, P.S. - Ara Town, District - Bhojpur.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Krishna Prasad Singh, Senior Advocate. Mr. Bhaskar Shankar, Advocate.
For the State	:	Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-07-2020 Heard learned Senior counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Ara Nagar P.S. Case No.638 of 2019 registered under Sections 307, 147, 149, 341, 323, 504 and 506 of the Indian Penal Code.

The accusation is that the informant Krishna Kumar used to do the business of fish. In the evening of 16.12.2019, with regard to the fish, the hot exchange of words had taken



place with the co-villager of the informant, namely, Pintu Bind, in which Harai Bind had made query from the driver of Pintu Bind regarding the place of bringing the fish and asked him to give his mobile number on which Pintu Bind raised objection saying that as to why he is asking for the mobile number from his driver and he should ask to him for the mobile number. Thereafter, Pintu Bind returned to his house. Again, at about 07.30 P.M., Kamlesh Bind (petitioner no.1) and Harendra Bind (petitioner no.3) came at the house of Pintu Bind and called him. When Pintu Bind came out of his house, then saw the petitioners along with other F.I.R. named accused present there. Thereafter, petitioner nos.1 and 3 started to abuse to Pintu Bind and all the petitioners along with other F.I.R. named accused started to cause assault to him. When the informant went there for intervention, they started to cause assault to him through lathi, danda and iron rod. When the brothers of the informant rushed to save the informant, then they were also assaulted by them.

Learned Senior counsel for the petitioners submits that due to petty dispute, the occurrence of “Maar-Peet” took place between the parties but with an ulterior motive, the informant has lodged the present case with false allegation



against the petitioners and others. Moreover, the injuries, as found on the persons of the informant and other injured, are simple in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Ara (Bhojpur), in connection with Ara Nagar P.S. Case No.638 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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