

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9644 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- AUANGARI District- Nalanda

1. Krishna Prasad, Male, aged about 70 years, Son of Late Munshi Prasad @ Munni Prasad
2. Nitish Prasad @ Nitish Kumar, Male, aged about 28 years, Son of Krishna Prasad, both resident of Village-Yogi Bigha, P.S-Aungari (Pir Bigha), District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prasad, Advocate
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-02-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Aungari (Pir Bigha) P.S. Case No. 67 of 2019 registered for the offences punishable under Sections 341, 323, 448, 379, 307, 504, 506/34 of the Indian Penal Code.

The prosecution case in brief as per the First Information Report, one Yogindra Prasad aged about 65 years, son of Late Munnji Prasad, resident of village Yogi Bigha, P.S. Aaungari (Pir Bigha), District- Nalanda, gave his written report on 23.09.2019 before the Officer Incharge of Pir Bigha, (O.P) P.S. and stating therein that on 23.09.2019 at about 6.00 A.M.



when the informant was talking in his house in the meantime petitioner no.1 came there and started abusing filthily and on protest, his son namely Bholu Prasad @ Ashok, Satyendra Prasad and Nitish Kumar came with variously armed and assaulting the informant. The accused Satyendra Prasad assaulted the informant by means of falsa causing rupture injury on the head of the informant and blood started oozing. Thereafter, accused Munajik Prasad, Bimla Devi and Jayindra Devi came there and started abusing and assaulted the wife of informant namely Binda Devi and son namely Ajit Kumar by means of brick and during course of assault, accused Satyendra Prasad snatched his Tabij and accused Khushboo Devi, Sudha Devi, Mutari Devi, Manju Kumari, Mulin Devi started abusing and assaulted the informant by means of first and slaps and petitioners assaulted the daughter-in-law namely Munchun Devi by means of lathi on her leg and snatched golden Jeetmahal from her neck and all the accused persons gave threatening to kill the informant if he would lodge case.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. He further submits that there is case and counter case between the parties and they are own gotia and there is land dispute between



the parties. He further submits that the injuries are simple in nature. The petitioners have got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of ACJM Hilsa (Nalanda) in connection with Aungari (Pir Bigha) P.S. Case No. 67 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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