

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26366 of 2021**

Arising Out of PS. Case No.-152 Year-2020 Thana- BEERPUR District- Begusarai

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1. CHINTU KUMAR @ KUNDAN KUMAR S/o Ram Japo Yadav
 2. SINTU KUMAR @ SHIV KUMAR S/O Ram Japo Yadav Both R/o village- Hamodih- Ward No.- 06, P.S.- Beerpur, Distt.- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of bail in a case registered for the offence punishable under sections 307, 324, 504, 506 and other allied sections of the Indian Penal Code.

As per prosecution case, on 17.11.2020 at 7 a.m., son of the informant was talking about the measurement of his land, his neighbours Ramjapo Yadav and Rambali Yadav came there with sword and farsa in their hand and asked the son of the informant not to get his land measured and upon objection raised by him, they started assaulting him and on Hulla, all



accused persons including petitioners came from their house with sword, Khanti and Danta in their respective hands and started assaulting son of the informant-Raj Kumar Yadav and daughter-in-law- Rekha as a result of which left hand of son of the informant got amputated and Rekha got cut injury.

It is submitted on behalf of petitioners that alleged occurrence took place due to land dispute. There is case and counter case. It is further submitted that injury report of the injured does not support the allegation levelled in the FIR and similarly situated co-accused have already been granted bail by this court vide Cr. Misc. no. 30175/2021. Petitioners have got clean antecedent are in custody since 18.11.2020.

Learned counsel for the informant opposed the prayer for bail and submitted that out of two persons, one sustained grievous injury and these petitioners actively participated in the occurrence.

Considering the nature of allegation and the period of custody, this bail application is allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VI, Begusarai in Birpur P.S. Case no. 152/2020 on



the following conditions.

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

s.hassan/-

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