

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28092 of 2020

Arising Out of PS. Case No.-1097 Year-2019 Thana- SAHARSA District- Saharsa

1. Sadanand Singh, Male, aged about 60 years, son of Raghuni Singh @ Radhuni Singh,
2. Bibhu Shekhar Singh @ Vibhu Shekhar Singh, Male, aged about 35 years, son of Sadanand Singh,
Both resident of village- Haripur, P.S.- Sonbarsa, Kachahari, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 25-01-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Amarnath Jha, learned counsel for the petitioners and Mr. Ram Sumiran Rai, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioners apprehend arrest in connection with Saharsa Sadar (Sonbarsa Kachahari OP) PS Case No.1097 of 2019 dated 16.12.2019, instituted under Sections 341/323/307 354/504/506/34 of the Indian Penal Code.

4. The allegation against the petitioners is of general assault and specifically against the petitioner no. 1 with *Lathi* and *Danda*, whereas, against petitioner no. 2 by fists and slaps.



5. Learned counsel for the petitioners submitted that the parties are close relatives and live next door and there was some family/property dispute and the injuries are simple in nature. It was further submitted that the petitioners have no criminal antecedent and a compromise petition has also been filed before the Court below.

6. Learned APP submitted that the allegation against the petitioners is of assault. However, with regard to finding in the order of the Court below that the injuries are simple in nature, it is not disputed.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in Saharsa Sadar (Sonbarsa Kachahari OP) PS Case No.1097 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good



behaviour of the petitioners. Any violation of the terms and conditions of the bonds shall lead to cancellation of their bail bonds. Further, the petitioners shall co-operate with the Court. Failure to cooperate shall also lead to cancellation of their bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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