

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48852 of 2021**

Arising Out of PS. Case No.-26 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Kabir Paswan S/o Sogarath Paswan R/o village- Ganauli, P.S.- Sadar (Mabbi O.P.), District- Darbhanga
 2. Bimal Paswan S/o Sogarath Paswan R/o village- Ganauli, P.S.- Sadar (Mabbi O.P.), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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

2. 23-11-2021 Heard learned counsel for the parties.

Petitioners pray for grant of bail in Sadar (Mabbi O.P.) P.S. Case No. 26 of 2021, registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner no. 1 is alleged to have stabbed the informant in stomach and back, whereas petitioner no. 2 is alleged to have stabbed on thigh of the father of informant. Petitioner no. 1 is also alleged to have stabbed brother of the informant and cut his finger of left hand.

It is submitted on behalf of petitioners that due to land dispute, a scuffle took place between the parties and both sides sustained injury. There is case and counter case. It is further submitted that there is delay of five days in lodging the F.I.R., as



the date of occurrence is 14.01.2021, but F.I.R. has been lodged belatedly on 19.01.2021, without any plausible explanation of delay. It is further submitted that as per injury report, kept as Annexures 2, 2/1 and 2/2, the injuries caused by petitioner no. 1 is simple in nature, whereas, injury caused by petitioner no. 2 is grievous in nature. Both parties are *gotiyas*. Petitioners are in custody since 20.01.2021. Chargesheet has been submitted.

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

Considering the nature of allegation and period of custody, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No. 26 of 2021.

(Prabhat Kumar Singh, J.)

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