

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40443 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- PUNPUN District- Patna

AJUBA BIND son of Ram Pravesh Bind Resident of Village- Teliyaan Per,
P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Anita Kumari Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Punpun Police Station Case No. 159 of 2020, registered for the
offence punishable under Sections 447/341/323/325/307/504/
506 of the Indian Penal Code.

The allegation, as per the First Information Report
lodged on the basis of the written report of the informant
Phulwanti Devi, is that the petitioner, along with other accused
persons, arrived near the house of co-accused Tuntun Bind,
armed with deadly weapons, surrounded the informant's nephew
and assaulted him and when the informant's husband and other
family members tried to rescue the nephew of the informant,



they were also assaulted by the accused persons. It has further been alleged that the informant's daughter, Babita Kumari, was assaulted by means of lathi by the petitioner on her hands.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as there is land dispute between the parties and both the parties are agnates. She next submits that there is case and counter case inasmuch as for the incident, which has taken place on the same date and time, co-accused Tuntun Bind has lodged Punpun Police Station Case No. 160 of 2020 against the informant's side. She, referring to the impugned order, submits that grievous injuries caused to other victims have been mentioned in the impugned order, but the injury caused to victim Babita Kumari, who has allegedly been assaulted by the petitioner, has not been mentioned in the impugned order. She next submits that the petitioner is in custody since 16.07.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that both the parties are agnates, there is case and counter case, the injury of Babita Kumari has not been brought on record by the prosecution and the petitioner is in custody since



16.07.2020, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Masaurhi, in connection with Punpun Police Station Case No. 159 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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