

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.132 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- GURARU District- Gaya

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1. Srikant Kumar, Son of Baijnath Prasad, Resident of Village - Rauda , P.S.- Guraru, District- Gaya.
 2. Arti Kumari, W/o Srikant Kumar, Resident of Village - Rauda , P.S.- Guraru, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Guraru P.S. Case No. 48 of 2020, registered under Sections 323, 341, 324, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the morning of 29.04.2020, talk was going on in respect to partition of the house and land in between informant, Shalesh Kumar and his younger brother,



Srikant Kumar (petitioner no.1). At that time, Srikant Kumar (petitioner no.1) started to abuse and in the meantime, his wife, Arti Kumar (petitioner no.2) and Baijnath Kumar also came there. Thereafter, Srikant Kumar (petitioner no.1), Arti Kumar (petitioner no.2) and Baijnath Kumar started to abuse and at that time, Baijnath Kumar started to assault him through sword causing injury at his left leg. When his wife, Archna Kumari came to save him then both petitioners assaulted her through lathi and danda causing injury at her head.

Learned counsel for the petitioners submits that Srikant Kumar (petitioner no.1) is the brother of the informant and due to petty dispute of partition of the land and house, scuffle took place in between both parties. Further submission is that while the allegation has been made against both petitioners to cause injury to Archna Kumari, wife of the informant, but three injuries, as found on the person of Archna Kumari, are simple in nature. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Gaya, in connection with Guraru P.S. Case No. 48 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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