

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.968 of 2021

Arising Out of PS. Case No.-170 Year-2018 Thana- PAKRIDAYAL District- East Champaran

1. CHHOTU KUMAR SON OF JAILAL BHAGAT RESIDENT OF VILLAGE - BAKIPUR CHOWK, CHORMA MALI TOLA, P.S. - PAKDIDAYAL, DISTRICT - EAST CHAMPARAN
2. JAILAL BHAGAT SON OF LATE JOGI BHAGAT RESIDENT OF VILLAGE - BAKIPUR CHOWK, CHORMA MALI TOLA, P.S. - PAKDIDAYAL, DISTRICT - EAST CHAMPARAN

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Adv.
For the Opposite Party/s : Mr. Ram Sevak Chaudhary, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-10-2021 Heard learned counsel for the petitioners as well as learned APP. for the State.

Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Learned counsel for the petitioners apprehends their arrest in connection with Pakdidayal P.S. Case No. 170 of 2018 registered for the offence punishable under Sections 341, 323, 324, 354, 308, 504, 506 & 379/34 of the Indian Penal Code.

The informant Sanjay Bhagat lodged an FIR stating therein that the accused persons had made a hut by illegal



possession of the land. It is further alleged that for drainage of water some altercation took place between parties and accused persons including the petitioners assaulted the informant by lathi, danda, iron rod and knife.

Learned counsel for the petitioners has submitted that a civil suit is going on between the parties in relation to *gairmazurwa aam* land. He has further submitted that there is an allegation in the FIR that altogether five accused persons badly assaulted the informant whereas he has sustained only one injury and as per information of the doctor it was simple in nature.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances as well as the nature of injury being simple, let the petitioners above-named be released on bail in the event of his arrest or surrender within four weeks before the court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Motihari, East Champaran in connection with Pakdidayal P.S Case No. 170 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-2 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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