

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13719 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- MADHUBAN District- East Champaran

1. Bijli Bhagat @ Bijli Bhagata, aged about 61 years, male, S/o Late Methur Bhagat.
2. Suresh Kumar @ Suresh Prasad, aged about 35 years, male, S/o Bijli Bhagat.
3. Ankesh Kumar, aged about 18 years, male, S/o Bijli Bhagat.
4. Mukesh Kumar, aged about 16 years, male, S/o Bijli Bhagat.
5. Bhagia Devi, aged about 55 years, female, W/o Bijli Bhagat.

All are R/ Village-Bhagwanpur, Police Station-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv.
For the Informant	:	Mr. Vijay Shankar Shrivastava, Adv.
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 10-02-2022 Heard the counsel for the parties.

The petitioners seek bail in anticipation of their
arrest in connection with Madhuban P.S. Case No. 219 of
2020, dated 26.07.2020, instituted for the offences under



Sections 341, 323, 324, 325, 307, 379, 354(B) and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

By order dated 08.12.2021, the petitioner Nos. 3 and 5, namely, Ankesh Kumar and Bhagia Devi were granted provisional bail as no accusation of assault was levelled against them, whereas with respect to remaining petitioners, the case diary was called for.

It has been submitted on behalf of the petitioners that there is a counter version of the occurrence lodged by petitioner No. 1 in which case, he has received gunshot injury in his hand. Other persons also from the side of the petitioners have received injuries.

Mr. Sanjay Kumar, the counsel the petitioners has brought on record the injury report of petitioner No. 1.

The injuries found on the victims have been reported to be simple in nature.

Mr. Vijay Shankar Shrivastava, the learned counsel for the informant however has submitted that petitioner No. 4 is said to have given a knife blow on the son of the informant, as a result of which he has received one sharp



would on the right side of the chest. It has also been urged that petitioner No. 2 is said to have given a *farsa* blow on the head of the informant, which has caused an injury which is grievous in nature.

Regard being had to the facts afore-stated and taking into account that there was a dispute between the parties in which both the sides have received injuries and the petitioner No. 1 has received gunshot injury, the *provisional bail* granted to petitioner Nos. 3 and 5 is, hereby, confirmed. They shall remain on the same bail-bonds.

Since both the sides have received injuries, the petitioner Nos. 1, 2 and 4, namely, Bijli Bhagat @ Bijli Bhagata, Suresh Kumar @ Suresh Prasad and Mukesh Kumar, in the event of their arrest or surrender before the learned Court below within a period of four weeks, directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-IV, East Champaran, Motihari in connection with Madhuban P.S. Case No. 219 of



2020, subject to the conditions laid down under Section
438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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