

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14646 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- SHRI NAGAR District- Madhepura

1. DILIP KUMAR @ DILIP SUTIHAR S/o Bechan Sutihar Resident of Village- Baghwa, Ward No. -12, P.S.- Srinagar, District- Madhepura.
2. Akhilesh Kumar @ Akhilesh Sutihar S/o Late Anant Sutihar Resident of Village- Baghwa, Ward No. -12, P.S.- Srinagar, District- Madhepura.
3. Ranjeet Kumar @ Ranjeet Sutihar S/o Late Anant Sutihar Resident of Village- Baghwa, Ward No. -12, P.S.- Srinagar, District- Madhepura.
4. Bechan Sutihar S/o Late Musaharu Sutihar Resident of Village- Baghwa, Ward No. -12, P.S.- Srinagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 20-01-2022 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner nos. 1, 3 and 4 have been arrested, as such, this criminal miscellaneous petition has



become infructuous with respect to them.

So far as petitioner no. 2 is concerned, he apprehends his arrest in connection with Srinagar P.S. Case No. 28 of 2020 registered for offence punishable under sections 341, 323, 354, 324, 307, 379, 380, 504/34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that both the parties are co-villagers. There is land dispute as evident from the FIR itself. There is case and counter case and both the parties have sustained injuries. The order of the learned Additional Sessions Judge-IV, Madhepura dated 07.09.2020 shows itself that the injuries sustained by the injured persons are simple in nature and the defence side has also lodged a case of similar nature.

Considering the above mentioned facts and circumstances, **the petitioner no. 2**, in the event of his arrest or surrender, within four weeks from today, is directed to **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhepura in connection with Srinagar P.S. Case No. 28 of 2020, subject to condition 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 mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey , J)

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