

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5434 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- CHAKAI District- Jamui

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1. BALMUKUND SAH S/o Late Bhatu Sah R/o village- Nawadih, P.S.- Chakai, District- Jamui
 2. Manoj Sah @ Umesh Sah S/o Late Bhatu Sah R/o village- Nawadih, P.S.- Chakai, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable under Sections
341/323/307/354(B)/379/504/506/34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including
the petitioners armed variously entered into the shop of the
informant and started abusing and assaulting. In due course,
petitioner no.2 is said to have outraged the modesty of
informant's wife.

It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a land dispute between the parties and for the alleged offence, there is a case and counter-case between the parties. In fact the informant's side are the aggressor. In the scuffle, both sides have sustained injuries, which are simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chakai P.S. Case No.128 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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