

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18204 of 2021

Arising Out of PS. Case No.-352 Year-2019 Thana- BIKRAM District- Patna

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1. BITESHWAR THAKUR Son of Late Ram Ratan Thakur Resident of Village- Masauraha Telpa under Bikram Police Station, District- Patna.
 2. Suraj Kumar Son of Rajesh Kumar Resident of Village- Masauraha Telpa under Bikram Police Station, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-03-2022 Heard Mr. Praveen Kumar, learned Advocate for the
petitioners and the learned APP.

The petitioners seek bail in anticipation of their arrest in connection with Bikram P.S. Case No. 352 of 2019 dated 22.10.2019 instituted for the offences under Sections 147, 148, 149, 341, 323, 504, 307, 379 and 506 of the Indian Penal Code.

The petitioners and others are said to have assaulted the informant. The petitioner no. 1 is specifically alleged to have assaulted on the head of the informant, as a result of which he was injured. The petitioner no. 2 and others are said to have attacked him by means of a fasuli, which is a sharp-cutting weapon.



The learned counsel for the petitioners has submitted that the accusation is absolutely false. In fact, there is a land dispute between the parties with respect to measurement of a plot of land for which a case was registered before the Circle Officer *vide* Measurement Case No. 32 of 2019-20 under which notices have been issued to the parties.

Out of the five injuries suffered by the informant, four have been opined to be simple in nature. However, the opinion with regard to the injuries suffered by the informant in his left hand finger, has been reserved.

Regard being had to the aforestated facts and taking into account that the petitioner no. 1 is an old person, whereas petitioner no. 2 is only generally said to have assaulted the informant along with many others with no specific corresponding injury, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Bikram P.S. Case No. 352 of 2019, subject to



the conditions as laid down under Section 438(2) Cr.P.C.

While saying so, the Court has also taken note of the fact that the petitioners do not have criminal antecedents.

(Ashutosh Kumar, J)

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