

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17627 of 2021

Arising Out of PS. Case No.-881 Year-2020 Thana- ARARIA District- Araria

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1. YUNUS @ INSUL, SON OF MD. KAMAL RESIDENT OF VILLAGE-CHHOTI LAHTORA, P.S.- ARARIA, DISTT.- ARARIA
 2. WAHABUDDIN, SON OF MD. MUSLIM RESIDENT OF VILLAGE-CHHOTI LAHTORA, P.S.- ARARIA, DISTT.- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-01-2022 Heard Mr. Ramesh Kumar Singh, learned

counsel for the petitioners and learned APP for the

State.

The petitioners seek bail in anticipation of their

arrest in connection with Araria P. S. Case No. 881 of

2020, dated 20.10.2020, instituted for the offences

under Sections 341, 323, 325, 307, 379, 504, 506 and

34 of the Indian Penal Code.

The petitioners are said to have assaulted the

informant and his brother by means of *Lathi* and iron rod

respectively. Both the persons injured in the occurrence



are stated to have received simple injuries.

It has been submitted on behalf of the petitioners that from the F.I.R. itself, it would appear that there is a land dispute between the parties.

The learned counsel for the petitioners has further reiterated that an occurrence may have taken place at the time of digging of the earth but there does not appear to be any intention on the part of the petitioners or other six accused persons to have caused any life-threatening injuries to the victims.

Considering the background facts and that the victims have suffered only simple injuries and there is a possibility of their being falsely implicated because of land dispute, they, in the event of their arrest or surrender before the court below within a period of six weeks, are 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 Chief



Judicial Magistrate, Araria, in connection with Araria P.
S. Case No. 881 of 2020, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

This petition stands allowed.

(Ashutosh Kumar, J)

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