

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8628 of 2022

Arising Out of PS. Case No.-311 Year-2021 Thana- CHOUTARWA District- West
Champaran

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1. Sukhraj Ram Son of Nagina Ram Resident of Village- Mehadi, Police Station- Chautarwa, District- West Champaran
 2. Madhuban Ram Son of Sukhraj Ram Resident of Village- Mehadi, Police Station- Chautarwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioners seek bail in connection with
Chautarwa P.S. Case No. 311 of 2021 registered for the offence
under Sections 341, 323, 325, 307, 354(B), 379, 504, 384, 385
and 34 of the Indian Penal Code and Section 8 of the POCSO
Act.

The accused/petitioners are named in the F.I.R. and
are in custody since 30.12.2021.

The allegation against the accused/petitioners is to



assault the informant and his family members alongwith other co-accused in which the informant received injury.

Learned counsel appearing on behalf of the petitioners submitted that the nature of allegation is very much omnibus, as regard to assault, against the petitioners. It is further submitted that the present occurrence is due to land dispute having case and counter case. While arguing over the matter, it is further submitted that the nature of injury is simple which has been alleged to be received in the present occurrence. It is further submitted that petitioners are persons with clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the nature of allegation, as regard to assault, is very much omnibus against the accused/petitioners.

Considering the facts and circumstances as mentioned above and as the nature of allegation, as regard to assault, is very much omnibus coupled with the facts that injury received is simple in nature, let the petitioners, above named, are directed to be released on bail in connection with Chautarwa P.S. Case No. 311 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial



Magistrate, Bagaha, West Champaran, subject to the following condition:

“That one of the bailors shall be the close relative of the accused/ petitioners like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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