

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- UJIYARPUR District- Samastipur

1. Shyam Kishore Choudhary Son Of Rajendra Choudhary Resident Of Village - Nikaspur , P.S.- Ujiarpur, Distt.- Samastipur.
2. Ram Dular Choudhary Son Of Rajendra Choudhary Resident Of Village - Nikaspur , P.S.- Ujiarpur, Distt.- Samastipur.
3. Sarvesh Kumar @ Sarvesh Kumar Choudhary Son Of Ram Dular Choudhary Resident Of Village - Nikaspur , P.S.- Ujiarpur, Distt.- Samastipur.
4. Sachida Nand Choudhary Son Of Ram Naresh Choudhary Resident Of Village - Nikaspur , P.S.- Ujiarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 314, 354A, 307, 379, 504, 114 of the Indian Penal Code.

Petitioners are said to have come at the door of the



informant and started abusing her. On objection, all of them assaulted the informant and her husband by means of lathiya Gadasa, Kulhari and iron rod.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that earlier petitioners have filed the case against the informant, thereafter, the present case has been filed by the informant. He submits that there is case and counter case in between the parties and both sides have sustained injury. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Vide order dated 02.08.2022, case dairy along with injury report was called for.

From perusal of the injury report, it appears that the injury found upon the victim is simple in nature.

Considering the facts and circumstances of the case and the fact that the injury found upon the victim is simple in nature, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Ujiarpur P.S. Case No. 41 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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