

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9758 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

1. Deepak Modi Son of Late Khajo Modi Residence of Village- Mahsoni, P.S.- Piri Bazar, District- Lakhisarai.
2. Guddu Modi Son of Late Khajo Modi Residence of Village- Mahsoni, P.S.- Piri Bazar, District- Lakhisarai.
3. Krishnandan Modi Son of Bazo Modi Residence of Village- Mahsoni, P.S.- Piri Bazar, District- Lakhisarai.
4. Kanhaiya Modi Son of Bazo Modi Residence of Village- Mahsoni, P.S.- Piri Bazar, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Piri Bazar P.S. Case No. 183 of 2021, registered for the offences punishable under Sections 379, 323 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on 08.12.2021 at 5.00 am in the morning when informant and family members were sleeping, in the meantime, co-accused were taking away bricks from the door of informant. On hearing noise, sister-in-law of informant awoke and forbade the same on which co-accused



persons abused her and co-accused Amardip torn her blouse. When informant went to pacify the matter all the accused persons including petitioners started abusing and co-accused Amardip assaulted him with lathi causing head injury to him.

It is submitted that allegation of assault is general and omnibus against all the accused persons. Specific allegation of assault is against co-accused Amardip. As a matter of fact, there is land dispute between the parties and prosecution side wanted to grab the land of petitioners and in order to pressurize the petitioners this false case has been lodged. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/concerned court, Lakhisarai in connection with Piri Bazar P.S. Case No. 183 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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