

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15796 of 2022

Arising Out of PS. Case No.-46 Year-2020 Thana- BAUSI District- Araria

1. SANTOSH KR. ROY @ SANTOSH ROY Son of Hari Bol Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
2. Subodh Roy Son of Yogendra Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
3. Bablu Kumar Roy Son of Yogendra Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
4. Gholta Roy Son of Yogendra Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
5. Ganesh Roy @ Ganeshi Roy Son of Rajendra Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
6. Bateshar Roy Son of Rajendra Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
7. Nagdu Roy Son of Hari Lal Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
8. Fagu Kumar Roy Son of Bhola Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
9. Rupchand Roy @ Rupchand Kumar Son of Bhola Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.
10. Fulchand Roy Son of Bhola Roy Resident of Village - Gunwanti Ward No. 8, P.S. - Bounsi, Dist.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 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 four weeks of resumption of normal court



proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354, 379, 504/34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners have indiscriminately assaulted the informant's side by means of various weapons for taking possession of the land of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that there is an admitted land dispute between the parties. In the alleged occurrence, both sides have sustained injuries and there is a case and counter-case between the parties. The injuries are simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the injuries have been inflicted on the vital part of the body.



Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Bounsi P.S. Case No.46 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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