

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32275 of 2021

Arising Out of PS. Case No.-173 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. BANKA RAY Son of Late Lakshmi Ray, Resident of Village - Jalalpur, P.S.- Sindhbaliya, District - Gopalganj.
2. Rambabu Ray Son of Master Ray, Resident of Village - Jalalpur, P.S.- Sindhbaliya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 16-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Sidhwaliya P.S. Case No. 173 of 2019 registered for offence punishable under sections 341, 323, 324, 325, 307/34 of the Indian Penal Code.

As per allegation, some dispute arose between the parties in respect of throwing cow-dung. The allegation is that



on the exhortation of petitioner no. 1, petitioner no. 2 assaulted Nitish Kumar on his head with *farsa*. There is allegation against petitioner no. 1 of assaulting Parmindra Rai with iron rod on his head.

The learned counsel for the petitioner has submitted that prior to lodging of this case, petitioner no. 1 lodged a criminal case being Sidhwaliya P.S. Case No. 170 of 2019, against the informant's side one day before and the present case is a counter blast of that case. He has also submitted that there is land dispute between the parties.

The learned Additional Public Prosecutor has opposed the prayer for bail, but fairly conceded that the injuries are simple in nature.

Considering the above-mentioned facts and circumstances as well as the fact that the petitioners are persons of clean antecedents, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Sidhwaliya P.S. Case No. 173 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.



Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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