

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19311 of 2022**

Arising Out of PS. Case No.-164 Year-2021 Thana- BACHHWARA District- Begusarai

NAND KUMAR SINGH@MUNNA SINGH SON OF LATE GANGA SHARAN SINGH @ LATE GANGA SARAN SINGH RESIDENT OF VILLAGE- HADIPUR, WARD NO. 10, P.S. BACHHWARA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 24900 of 2022

Arising Out of PS. Case No.-164 Year-2021 Thana- BACHHWARA District- Begusarai

JITENDRA KUMAR SINGH @ TUNA SINGH @ JITENDRA KUMAR S/o late Ganga Sharan Singh @ Late Ganga Saran Singh Resident of Village- Hadipur, Ward No.10, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19311 of 2022)

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

(In CRIMINAL MISCELLANEOUS No. 24900 of 2022)

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-08-2022 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, 308, 504, 506, 34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners have indiscriminately assaulted the informant and his mother by means of various weapons, due to which they sustained injuries.

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 due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is general and omnibus in nature. It is submitted that the parties are agnates and there is an admitted land dispute between them. 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. It is further submitted that there is an inordinate delay of six days in lodging the F.I.R., which has been instituted on 01.08.2021 though the occurrence took place on 26.07.2021 and no plausible explanation regarding such delay has been given, which creates a shadow of doubt about the



prosecution case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

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 Bachhwara P.S. Case No.164 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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