

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37469 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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1. Chandan Pandey S/O Lalan Pandey Resident Of Village- Husaini (South) Gandhi Nagar, Police Station- Dumariyaghat, District- East Champaran.
 2. Shailesh Pandey S/O Late Dharamdeo Pandey Resident Of Village- Husaini (South) Gandhi Nagar, Police Station- Dumariyaghat, District- East Champaran.
 3. Mukesh Pandey S/O Late Dharamdeo Pandey Resident Of Village- Husaini (South) Gandhi Nagar, Police Station- Dumariyaghat, District- East Champaran.
 4. Pramod Pandey S/O Late Janakdeo Pandey Resident Of Village- Husaini (South) Gandhi Nagar, Police Station- Dumariyaghat, District- East Champaran.
 5. Alok Pandey S/O Vyas Pandey Resident Of Village- Husaini (South) Gandhi Nagar, Police Station- Dumariyaghat, District- East Champaran.
 6. Dilip Chaubey S/O Late Magal Chaubey Resident Of Village- Sareya Pahar, Police Station- Sidhwalia, District- Gopalganj.
 7. Manjay Upadhyay S/O Late Nandji Pandey Resident Of Village- Kalyanpur, Police Station- Kalyanpur, District- East Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307/323 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that on the order of co-accused Lalan Pandey, all the accused persons including these petitioners assaulted the informant and three others as a result of which four persons sustained injuries including the informant.



Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Present case is counter blast of Dumariyaghat Police Station Case No. 146 of 2021 which was earlier instituted by the petitioners' side in retaliation to save skin from the earlier case. Section 144 CrPC proceeding is pending between the parties. Injury caused by the petitioners is simple in nature. Petitioners have got no criminal antecedent.

Considering the fact that there is a case and counter case and injuries sustained by the injured have been found to be simple in nature, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released 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 Additional Chief Judicial Magistrate I, Motihari, East Champaran in Dumariyaghat Police Station Case No. 147 of 2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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