

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41942 of 2022

Arising Out of PS. Case No.-215 Year-2022 Thana- OBRA District- Aurangabad

1. Nasir Hazam Son of Late Khayali Hazam Resident of village- Naraulla, P.s- obra, Dist- Aurangabad
2. Md. Nazish Son of Nasir Hazam Resident of village- Naraulla, P.s- obra, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-11-2022 Learned counsel for the petitioners submits that due to inadvertence Section 341 of Cr.P.C. could not typed in paragraph – 1. He seeks permission to remove the defect.

Permission granted.

Let the counsel for the petitioners remove the defect in course of the day.

Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Obra P.S. Case No. 215 of 2022 lodged under Sections 323, 504,

341, 506, 307, 34 of the I.P.C.

As per the prosecution case, F.I.R. has been lodged against 7 named accused persons. It has been narrated in the F.I.R. that dispute relating to road and land was there between the informant and the petitioners' side. It has been alleged that the attack was made by 7 named accused, along with other known accused persons by which informant's brother, sister-in-law, nephew were injured.

Learned counsel for the petitioners submits that informant and appellant belongs to same village and are neighbours and the present dispute caused due to *raasta* and land on which the measurement has to take place by the *ameen* but none of the parties shown patience. He further submits that there is case and counter case for the same date and place of occurrence, the present case of Obra P.S. Case No. 215 of 2022 whereas Obra P.S. Case No. 214 of 2022 was filed by the accused side against the informant's side. He further submits that injury took place from both sides, and he has annexed injury report in annexure – 4 series. He further submits that dispute took place on a very petty issue and ought not to take place.

Learned counsel for the petitioners submits that

petitioners are innocent and has committed no offence. He further submits that petitioners are in custody since 25.05.2022 having clean antecedent and charge sheet has already been filed in this case. He submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Daudnagar, Aurangabad in connection with Obra P.S. Case No. 215 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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