

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46139 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- MASHRAK District- Saran

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1. Amarnath Sah S/O Parasnath Sah Resident Of Village- Chainpur, P.S.- Mashrakh, District- Saran
 2. Ajit Sah S/O Amarnath Sah Resident Of Village- Chainpur, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-12-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Mashrakh P.S. Case No. 229 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution, these petitioners were alleged to have assaulted the informant and her family members and also looted some articles related to a tilak ceremony of the



informant's daughter.

The main submissions advanced by the learned counsel Mr. Arjun Prasad for the petitioners are that in between both the parties there is a case and counter case and the case of the petitioners' side was lodged prior to the institution of the case of the present matter and simple family dispute is stated to be the genesis of the occurrence which resulted in free fight in between both the parties and persons of both the sides sustained injuries and six persons are stated to have sustained injuries in the present matter whose injury reports have been filed before this Court vide Annexure-3 series and all the injuries of the said injured persons have been opined to be simple in nature. Further submission is that petitioners who are father and son have been languishing in jail since 18.05.2022 and against them there is no specific allegation in the FIR.

Learned APP Mr. Amitesh Kumar appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the facts that both the parties are agnates and a family dispute is stated to be the genesis of the occurrence and as per the statement made in paragraph No.10 of the petition the injured persons of the present matter sustained simple injuries and



according to petitioners’ counsel some persons of petitioners’ side also sustained injury in the alleged occurrence, in the opinion of this Court a lenient approach can be taken in respect of the petitioners’ prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Mashrakh P.S. Case No. 229 of 2022.

(Shailendra Singh, J.)

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