

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45913 of 2022

Arising Out of PS. Case No.-391 Year-2021 Thana- BARAUNI District- Begusarai

=====

HARI VANSI SINGH SON OF LATE LAXMI SINGH R/O VILLAGE-
CHAKBALLI, P.S.- BARAUNI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

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

=====

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

ORAL ORDER

2 14-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well

as the learned counsel for the informant and also Mr.

Mritunjay Kumar Nirala, the learned Additional Public

Prosecutor for the State.

At the very outset, the learned counsel for the

petitioner has submitted that mistakenly one criminal

antecedent of the petitioner has been left to be mentioned in

paragraph-3 of the bail petition which has been lodged at the

instance of the prosecution party.

Let it be rectified today itself.



The petitioner is seeking regular bail in connection with Barauni P.S. Case No. 391 of 2021, registered for the offences punishable under Sections 147, 149, 341, 323, 379, 307, 325, 353, 354, 448, 427 and 504 of the Indian Penal Code.

As per allegation, when measurement of the disputed land was going on, nine accused persons named in the FIR started abusing the members of prosecution party and pelting brick-bats, targeting the Amin. After entering into the house of the informant, co-accused Puja Kumari assaulted the informant with iron rod of his head. Co-accused Manoj Kumar assaulted Aman Kumar, son of the informant with *Khanti*. Co-accused Vijay Singh assaulted Aman Kumar with iron rod. Heera Devi assaulted Tripurari Singh with *Hasua*. The allegation against the petitioner is that he wrapped *Gamcha* around the neck of Rajendra Singh and he dragged him away and co-accused Vijay Singh assaulted Rajendra Singh.

The learned counsel for the petitioner has submitted that the petitioner is innocent. There is case and counter case and the case lodged by the petitioner is prior to the present case for the same day occurrence. He has submitted further that there is land dispute between the parties and both the



parties have sustained injuries. He has also submitted that the petitioner is under custody since 13.06.2022.

On the other hand, the learned counsel for the informant has submitted that the accused persons, after entering into the house of the informant, have badly assaulted his family members and also they assaulted the Amins, who were performing their official duties. He has also submitted that the statement of Amins have been recorded in paragraph nos. 11 and 12 of the case diary, in which they have supported the entire occurrence.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 391 of 2021, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court



below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

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

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

U		T	
---	--	---	--

