

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58462 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- ABADPUR District- Katihar

1. Aajit @ Aajid @ Ajit Ali S/O Late Saifuddin R/O Village- Govindpur, P.S.- Abadpur, District- Katihar
2. Katika S/o Late Jainuddin R/o village- Govindpur, P.S.- Abadpur, District- Katihar
3. Enamul S/o Late Jainuddin R/o village- Govindpur, P.S.- Abadpur, District- Katihar

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party/s

Appearance :

For the Petitioners : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-02-2022 Heard learned counsel for the petitioners, the State and the informant.

Petitioners seek regular bail in registered for the offences punishable under sections 307/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, while the informant was at his house, petitioners and other accused persons came there and started abusing the informant and on protest petitioner no.1 assaulted him on his head with iron rod causing head injury, petitioner no.2 assaulted the informant on his chest with stick.

Learned counsel for the petitioners submits that because of land dispute, there was free fight between both the parties in which both sides sustained injuries in which case and counter case were lodged against each other. Similarly situated co-accused have already been allowed bail by the Court below itself vide paragraph 17 of the bail petition and petitioners are in custody since 24.3.2021.

Learned counsel for the State and the informant oppose the prayer for bail and submit that there is allegation



against the petitioners that they and other accused persons assaulted the informant causing him five injuries out of which two have been found to be grievous in nature.

Considering the fact that there is case and counter case in which both sides sustained injuries, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Katihar in Abadpur Police Station Case No. 112 of 2020.

(Prabhat Kumar Singh, J)

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