

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58677 of 2022

Arising Out of PS. Case No.-246 Year-2022 Thana- CHANPATIA District- West Champaran

Ravindra Yadav Son of Shambhu Yadav R/V- Moti Chhapar, P.S- Kumarbagh
O.P and Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Chanpatia
(Kumarbagh O.P.) P.S. Case No. 246 of 2022 registered for the
offence under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504
and 506 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.07.2022.

The allegation against the petitioner is to assault informant
and others, alongwith other co-accused persons, while equipped with
lathi, rod, etc., causing bodily injuries, having intention to cause
death, due to land disputes.

Learned counsel appearing on behalf of the petitioner



submitted that the occurrence is of free fight in nature, where both parties received injuries. It is also submitted that a case for same set of occurrence was also lodged by petitioner's side, which has been registered as Chanpatia P.S. Case No. 262 of 2022. It is also submitted that injury received by informant is simple, which further negate the intention to cause death. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as occurrence is of free fight in nature, where injury received by informant appears simple coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chanpatia (Kumarbagh O.P.) P.S. Case No. 246 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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