

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2896 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- TISIAUTA District- Vaishali

1. Ritik Kumar @ Ritik Kumar Thakur Son Of Raju Kumar R/O Village- Sastual, P.S.- Tisiauta, District- Vaishali
2. Raju Thakur Son Of Masudan Thakur R/O Village- Sastual, P.S.- Tisiauta, District- Vaishali
3. Vijay Thakur Son Of Masudan Thakur R/O Village- Sastual, P.S.- Tisiauta, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioners seek regular bail in connection with Tisiauta P.S. Case No. 109 of 2022 registered for the offences punishable under Sections 147, 341, 323, 324, 307, 354, 504 and 506 of the Indian Penal Code.

As per the prosecution, the informant alleged that



these petitioners along with other named co-accused persons assaulted her, her husband, her son and others by means of lathi, danda, sword, garasa and iron-rod, owing to which they sustained injuries.

The main submissions advanced by petitioners' counsel are that the alleged offence of 307 of I.P.C. is not made out in this case against the petitioners, though against the petitioners there is specific allegation of having assaulted the informant, her husband and her son but the injuries found upon their person were opined to be simple in nature and both the parties are agnates and they have compromised this case and there is also a counter case bearing Tisiauta P.S. Case No. 101/2022 lodged from petitioners' side prior to the institution of the FIR of the present matter and the petitioners have fair and clean antecedent and the investigation has been completed against them.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the facts that both the parties are agnates and there is case and counter-case in between them and in the present time good sense has prevailed in between them and as per the above



submission the injuries found upon the person of the injureds who are stated to have been assaulted by these petitioners, have been opined to be simple in nature, in my opinion it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Tisiauta P.S. Case No. 109 of 2022.

(Shailendra Singh, J)

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