

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19119 of 2023

Arising Out of PS. Case No.-04 Year-2023 Thana- SIMRA District- West Champaran

1. Mahanth Chaudhary Son Of Late Sita Ram Chaudhary Village -BAJDA Ward No. 13 P.S. Semra District West Champaran
2. Malti Devi Wife of Mahanth Chaudhary Village Bajda Ward No. 13 P.S. Semra District West Champaran
3. Karan Kumar Patel @ Karna Kumar Patel son of Mahanth Chaudhary Village- Bajda ward no-13 Ps- Semra Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey
For the Informant	:	Mr.Vijay Kumar Singh No. I
For the Opposite Party/s	:	Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner no. 1 assaulted the informant with fist and slaps and petitioner nos. 2 and 3 assaulted with iron rod and *Khanti*.

It is submitted that on account of land dispute between the parties simple occurrence of *Marpit* took place. There is case and counter case. Present case is counter version



of Mahila PS Case No. 03 of 2023 which was lodged by Malti Devi petitioner no. 2 against informant and others. Injuries sustained by the injured is though grievous in nature, but it is not on vital part of the body.

However, counsel for State opposed the prayer for bail and submitted that petitioner nos. 2 and 3 caused grievous injury to the injured.

Having considered the fact that there is allegation of assault with fist and slap and he has got no criminal antecedent, the Mahanth Chaudhary petitioner no. 1, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Judicial Magistrate Ist Class, Bagaha, West Champaran in connection with Semra P.S. Case No. 04 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as, petitioner nos. 2 and 3 are concerned, there is allegation of commission of assault with iron rod and *khanti* on account of which informant sustained grievous



injury on his arms, I am not inclined to enlarge the petitioner
nos. 2 and 3 above-named on anticipatory bail. Accordingly, the
same is rejected.

(Prabhat Kumar Singh, J)

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