

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27317 of 2023

Arising Out of PS. Case No.-382 Year-2022 Thana- SAKRA District- Muzaffarpur

1. KIRAN DEVI WIFE OF VIJAY PRASAD YADAV VILLAGE-KUMHARA PAKAR, P.S. SAKRA, DISTT. MUZAFFARPUR
2. VIJAY PRASAD YADAV SON OF SHIVSAGAR RAY VILLAGE-KUMHARA PAKAR, P.S. SAKRA, DISTT. MUZAFFARPUR

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Santosh Kumar , Advocate
For the Opposite Party/s : Mr. Atul Chandra, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 341, 323, 324, 325, 307, 379, 504, 506, 34 of the Indian Penal Code.

On the alleged date and time of occurrence, all the accused persons including these petitioners assaulted the informant and his husband by sticks and axe, when his son came to save her, the accused persons also assaulted him and took out Rs, 22,000/- from the box of the informant.



It is submitted that due to land dispute between the parties a simple occurrence of maarpeet took place bewteen them. Case and counter case. There is 15 days delay in lodging the F.I.R for which there is no plausible explanation and it creates doubt over the veracity of the entire prosecution case. Injuries caused by the petitioners are simple in nature.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, 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 Learned A.C.J.M. 12th , Muzaffarpur (East) in connection with Sakra P.S. case no 382 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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