

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29869 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- HARLAKHI District- Madhubani

1. Md. Salam Son Of Md. Anwar Resident Of Village - Hajinagar, P.S. - Harlakhi, Distt. - Madhubani
2. Md. Samshad Son Of Md. Anwar Resident Of Village - Hajinagar, P.S. - Harlakhi, Distt. - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 307, 379, 504, 506/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to land, eight named accused persons including the petitioners came variously armed and entered his house and thereafter, it is alleged that petitioner no.1 assaulted the informant by *farsa*



causing injury on head and thereafter, also assaulted his mother causing injury on her hand and petitioner no.2 is alleged to have assaulted the informant with lathi and thereafter, the accused persons tore the blouse of his wife and took her chain from her neck.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to land an altercation took place in which both sides assaulted each other. It is next submitted that the injuries suffered by the informant and his wife are simple in nature, though petitioner no.1 is alleged to have assaulted the mother of the informant and her injury is reserved, but from perusal of Annexure-2, it would manifest that the injury is on hand and the doctor has recorded for X-ray as there was swelling. It is thus submitted that it is not the case of the prosecution that on account of assault the mother of the informant suffered fracture of her hand.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J. M., 1st Class, Benipatti, Madhubani in connection with Harlakhi P. S. Case No.202 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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