

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29264 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- KESARIA District- East Champaran

1. DEENANATH PRASAD Son of Late Gaya Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.
2. Rahul Kumar Son of Bhagirath Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.
3. Nitesh Kumar @ Nitish Kumar Son of Lalan Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.
4. Lalan Prasad Son of Late Vidya Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.
5. Rambabu Prasad Son of Late Vidya Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.
6. Mukesh Prasad @ Mukesh Kumar Son of Late Jhulan Prasad Resident of Village - Govandri, Police Station - Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar , Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-05-2023 At the outset, learned counsel for the petitioner No 1 and 5 seeks permission to withdraw the pre-arrest bail petition.

This bail petition of petitioner No 1 and 5 is dismissed as withdrawn.

Heard learned counsel for the petitioner Nos 2, 3, 4, 6 and the State.

Petitioner Nos 2, 3, 4, 6 apprehend their arrest in a



case registered for the offence punishable under sections 341, 324, 307, 379, 354 (B), 504, 506, 427/34 of the Indian Penal Code and 3/4of the Dian Act.

It is alleged that on 03.11.2022 at 4:00 P. M while the informant was sitting on her gate these petitioners along with other 5 to 6 unknown persons armed with weapon came there, abused and assaulted the informant in which she sustained injury.

It is submitted that petitioners are pattidar of the informant and there is land dispute between them due to which a simple occurrence of maarpeet took place between them. Allegation of assault is general and omnibus against these petitioners and no specific overt act is alleged against them. There is case and counter case in which both sides sustained injuries. Injuries caused by these petitioner are found simple in nature. Petitioners claim clean antecedent.

Learned counsel for the State opposed the bail petitioner of the petitioners.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos 2, 3, 4, 6 , as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten



thousand) each with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesariya P.S. Case No 556 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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