

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37655 of 2023

Arising Out of PS. Case No.-693 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. Raju Kumar, Son of Chandradeo Singh @ Chandeshwar Singh, R/O Village Purna Bigha, P.S. Daud Nagar, District Aurangabad (Bihar)
2. Binod Kumar, Son of Surendra Kumar Singh, R/O Village Purna Bigha, P.S. Daud Nagar, District Aurangabad (Bihar)
3. Ahsok Kumar, Son of Late Bhadai Singh, R/O Village Purna Bigha, P.S. Daud Nagar, District Aurangabad (Bihar)
4. Pankaj Kumar, Son of Surendra Kumar Singh R/O Village Purna Bigha, P.S. Daud Nagar, District Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2023 Heard Mr. Vyas Kumar Mishra, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Daud Nagar P.S. Case No. 693 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504 and 374/34 of the Indian Penal Code.

3. It is alleged that while the informant was coming to his home, in the way all the accused persons surrounded him and started abusing. In the meantime, co-accused Satyendra Singh assaulted the informant over his head, by means of Iron



rod. Further allegation has been levelled that petitioner no.1 Raju Kumar assaulted him with knife, which caused injury on his nose. Petitioner no.2 Binod Kumar assaulted him with Lathi due to which he sustained fracture injury in his thumb. Further petitioner no.4 snatched a golden locket. So far the petitioner no.3 is concerned, he is said to be one of the member present there.

4. Learned counsel appearing on behalf of the petitioners submits that the persons of both the sides are *Gotia* and admittedly there is land dispute resulting into lodging of the present case. He next submits that even as per the narration made in the F.I.R., the injuries, which have been attributed to petitioner nos. 1 and 2, the same are found to be simple in nature and in fact this is the reason, it has not been mentioned in the impugned order. He further submits that specific allegation has been levelled against Satyendra Singh, who is not the petitioner herein. He next submits that the petitioner do not bear any criminal antecedent and they undertake that they will not indulge in such type of crime in future.

5. On the other hand, learned APP for the State opposes the bail application and submits that all the accused persons in furtherance of common intention assaulted the



informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of dispute and the injuries attributed to the petitioner nos. 1 and 2, coupled with their fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Daud Nagar P.S. Case No. 693 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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