

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33833 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- BHELDI District- Saran

1. Champa Kunwar S/O- Late Murali Singh Village- Mahrua, Ps- Bheldi Dist- Saran
2. Deepak Kumar son of Harendra Singh Village- Mahrua, Ps- Bheldi Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioners and
learned counsel for the State.

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

3. As per the prosecution case, on the alleged date and time of occurrence, all the 11 FIR named accused persons including petitioners along with 20 unknown persons were filling soil in the land of informant. On protest, co-accused Shoukhilal Singh assaulted with Labda on the chest and thigh of informant. When sons of informant Prince Kumar and Rahul Kumar and his nephew Pintu Kumar came to save him, co-accused Niraj Singh caused injury to Prince Kumar, co-accused



Mithilesh Singh caused head injury to Rahul Kumar and co-accused Mitranjan Singh caused head injury to Pintu Kumar by iron rod. When the wife of informant and other female members came to save, they were also assaulted by other co-accused persons.

4. It is submitted that there is no allegation of assault against petitioner no. 1. So far as petitioner no. 2 is concerned, he along with co-accused persons are alleged to have assaulted Radhika Devi, Geeta Devi and Raju Kumar, as such there is general and omnibus allegation of assault against petitioner no. 2. Injuries sustained by the injured caused by hard and blunt substance and injuries are simple in nature except the injury sustained by Raju Kumar for which opinion was kept reserved. As a matter of fact, name of petitioners dragged in this case due to land dispute. Case and counter case. There is also Probate case between the parties bearing Probate Case No. 21 of 2000 which has been allowed in favour of petitioner no. 1 and she sold the said land after grant of probate and thereafter, the informant lodged the instant case. Petitioners claim clean antecedents.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the



court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Judicial Magistrate Ist Class, Saran, Chapra in connection with Bheldi P.S. Case No. 206 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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