

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37691 of 2023

Arising Out of PS. Case No.-152 Year-2019 Thana- PHULPARAS District- Madhubani

1. SAKALDEV KAMAT SON OF LATE BADRI NARAYAN KAMAT
RESIDENT OF VILLAGE- BHARAHA, PS- PHULPARAS, DISTRICT-
MADHUBANI
2. KAPILDEV KAMAT @ KAPIL KAMAT SON OF LATE BADRI
NARAYAN KAMAT RESIDENT OF VILLAGE- BHARAHA, PS-
PHULPARAS, DISTRICT- MADHUBANI
3. AMOD KUMAR KAMAT @ AMOD KAMAT SON OF LATE BADIR
NARAYAN KAMAT RESIDENT OF VILLAGE- BHARAHA, PS-
PHULPARAS, DISTRICT- MADHUBANI
4. BRAHMDEV KAMAT SON OF LATE BADRI NARAYAN KAMAT
RESIDENT OF VILLAGE- BHARAHA, PS- PHULPARAS, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 447, 341, 323, 324, 308, 379, 504/34 of the IPC. Later on cognizance was taken u/s 447, 341, 323, 324, 308, 504/34 of the IPC.

3. As per the prosecution case, petitioner no.1 is said to have tightened Gamchha in the neck of the husband of the informant and other accused persons assaulted him by lathi,



petitioner no.2 is said to have assaulted the informant by Tengari over her leg, petitioner no.4 is said to have assaulted the informant by tangi over her head and petitioner no.3 is said to have snatched the ornaments from the informant and her daughter.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Parties are agnates and there is an admitted land dispute between them. Injury report of the informant reveals that she sustained sharp cut injury over left leg and lacerated wound over toe. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is admitted land dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties



of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Phulparas P.S. Case No.152 of 2019/ G.R. No.680/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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