

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40520 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. SANTOSH KUMAR Son of Raju Yadav Resident of Village - Naya Tola, Mirjapur, P.s.- Madhusudanpur Nathnagar, Distt.- Bhagalpur.
2. Sumit Kumar Son of Raju Yadav Resident of Village - Naya Tola, Mirjapur, P.s.- Madhusudanpur Nathnagar, Distt.- Bhagalpur.
3. Raju Yadav Son of Late Hakim Yadav Resident of Village - Naya Tola, Mirjapur, P.s.- Madhusudanpur Nathnagar, Distt.- Bhagalpur.
4. Mithlesh Kumar Son of Raju Yadav Resident of Village - Naya Tola, Mirjapur, P.s.- Madhusudanpur Nathnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP.

Mr. Chandrasekhar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 27-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

Allegedly, petitioners are said to have assaulted the informant with deadly weapons. Petitioner no.1 took golden chakti and Rs. 5000/- from the informant.

It is submitted by learned counsel for the petitioners that both the parties are agnates. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific



rather general and omnibus in nature. There is admitted land dispute between the parties. Though the allegation against the petitioners that they assaulted the informant with weapons, but as per the injury report, injury sustained by the informant is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injury sustained by the informant is simple in nature, 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 lower Court where the case is pending/successor Court in connection with Nathnagar (Madhusudanpur) P.S. Case No. 70 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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