

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41642 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PIPRA District- Patna

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1. VIJAY KUMAR SINGH @ VIJAY PRASAD SON OF LATE CHANDRIKA PRASAD RESIDENT OF VILLAGE - KHAPURA, PS-PIPRA, DISTT- PATNA
 2. SANJEET KUMAR @ TUNNU KUMAR SON OF VIJAY KUMAR SINGH @ VIJAY PRASAD RESIDENT OF VILLAGE - KHAPURA, PS-PIPRA, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s :	Mr.Dr. Ajeet Kumar, APP.
	Mr. Santosh Kumar Singh, Adv.
	Mr. Sanjay Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302, 504 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners, armed with deadly weapons, came to the informant's wife and started abusing the assaulting her. Co-accused Amarjeet Kumar gave *Khanti* blow on her head, due to which she sustained head injury and became unconscious. On alarm,when the informant and his brother came to save her, they



were also assaulted. They also threatened the informant side of dire consequences. With the help of villagers, all the injured persons were taken to hospital, but the doctor referred them to PMCH for better treatment, where on 17.03.2023, the informant's wife died during treatment.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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 specific allegation against co-accused Amarjeet Kumar that he assaulted the deceased by means of iron rod due to which she died during treatment. Postmortem report of the deceased has also supported this fact. There is admitted land dispute between the parties. The present case is nothing but a counter version of Pipra P.S. Case No. 30 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Pipra P.S. Case No. 29 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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