

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46502 of 2023**

Arising Out of PS. Case No.-553 Year-2022 Thana- TRIVENIGANJ District- Supaul

Ashish Kumar S/O Ramchandra Sah R/O Village- Purandaha, Ward No. 13,
Ps. Triveniganj, Dist. Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 11-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks pre-arrest bail in connection with
Triveniganj P.S.Case No.553 of 2022, registered for the offences
punishable under Sections 341, 323, 324, 307, 354(B), 379, 504,
506 and 34 of the Indian Penal Code.

As per the allegation made in the FIR, the petitioner
side and the informant side were indulged in spat due to land
dispute and in course of the same, both the parties turned
violent. Allegation against the petitioner is that he has assaulted
the informant on his head and certain articles and the cash were
stolen.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and the injury reveals
that though it is on the head but simple in nature, which was not
intentional and the petitioner may have caused in course of his
self-defence. For the said occurrence, case and counter case



have been lodged by both the parties on the same day, as specifically stated in paragraph no.7 of the bail application.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the nature of allegation as well as the fact that there is land dispute between the parties and on the alleged day of occurrence, both the parties turned violent and also taking into consideration the submission made on behalf of the petitioner that the petitioner may have caused injury in his self-defence, which was not intentional, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Supaul in connection with Triveniganj P.S. Case No.553 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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