

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47462 of 2023

Arising Out of PS. Case No.-110 Year-2023 Thana- FATUA District- Patna

1. Uday Pandey @ Funnu Son Of Balmiki Pandey Resident Of Village - Bari Ranipur Ward No. 15, P.S. - Fatuha, Distt. - Patna
2. Dhiraj Pandey @ Brashta Son Of Balmiki Pandey Resident Of Village - Bari Ranipur Ward No. 15, P.S. - Fatuha, Distt. - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-08-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned A.P.P for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Fatuha P.S. Case No. 110 of 2023 dated 09.02.2023 registered for the offences punishable u/ss 323, 341, 307, 504 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners are alleged to have assaulted the informant. When the family members of the informant came to rescue, they were also brutally assaulted by the petitioners causing severe injuries.



5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Learned counsel has further submitted that there is land dispute between the parties. There is case and counter case between the parties. There is general and omnibus allegation against the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 21.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners and submitted that as per NCCT scan of brain, extra-dural hematoma seen along the left frontal region of maximum thickness 6 mm without significant midline shift. The injury is grievous in nature.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City, Patna in connection with Fatuha P.S. Case No. 110 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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