

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48994 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- HATHAURI District- Muzaffarpur

Birendra Pd. Karan @ Birendra Pd. Karn, Son of Late Deep Narayan Lal R/V-
Pitaujhiya, P.S- Hathauri, Dist- Muzaffarpur Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Hathauri P.S. Case No.115 of 2021 instituted under Section
341, 323, 324, 447, 504, 354(B), 379, 506, 34 of the IPC.

As per the FIR, the allegation against the petitioner is
that he assaulted on the head of his brother as also his sister-in-
law causing injuries to them.

Learned counsel for the petitioner submits that it is a
case and counter case in which both sides have sustained
injuries. Further, the petitioner without accepting the allegation
realizes that in family affairs, such incident should not have
happened and in token of the same, on his own want to give
medical assistance to both his brother and sister-in-law to the
tune of Rs.25,000/- each (Rs.50,000/-). This is being done



without accepting the allegation and/or irrespective of the outcome of the present petition.

Learned counsel for the informant although submits that the petitioner had assaulted the informant and her husband but taking into account the fact that good sense have prevailed upon him, he does not opposes the said submission put forward by the learned counsel for the petitioner.

Taking into account the fact that the petitioner do not have criminal antecedent, he is 71 years of age, there is case and counter case and ultimately he has to face the trial, this Court is inclined to grant him relief, subject to payment of Rs.50,000/-,through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court.

Further, the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the informant shall be at liberty to take steps for cancellation of the bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with Hathauri P.S.
Case No.115 of 2021 to the satisfaction of learned Judicial
Magistrate, Ist Class, Muzaffarpur, East, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

