

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53063 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- AAJAM NAGAR District- Katihar

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1. SARKAR BISWAS Son of Late Brij Mohan Biswas
 2. Gyandev Biswas Son of Sarkar Biswas
 3. Ramdev Biswas Son of Sarkar Biswas
 4. Angad Biswas Son of Kaila Biswas
 5. Sitaram Biaswa Son of Late Debwa Biswas
- All are Resident of Village - Chakdha, P.S.- Azam Nagar, Distt.- Katihar.
... .. Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and the State
through video conferencing in view of the Covid-19.

The petitioners apprehend their arrest in connection
with Azam Nagar P.S. Case No. 118 of 2022 instituted under
Sections 341, 323, 324, 308, 504, 506/34 of the Indian Penal
Code.

As per the prosecution story, the informant alleged
that when the husband, Mohan Biswas and son, Munna Kumar
Biswas were coming home, the accused persons started abusing
and upon protest, assaulted on the head and further, the lady was
also abused/assaulted.

Learned counsel for the petitioners submit that it is a



matter of case and counter case, the petitioner's side lodged Azam Nagar P.S. Case No. 117 of 2022. The further submission is that the petitioner do not have criminal antecedent and the last submission is that in view of the fact that although there is allegation of assault, the injury is simple in nature and in that backdrop, they would like to give medical assistance of Rs. 10,000/- to the informant's side through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Learned APP on the other hand opposes the prayer for bail.

Taking into account the fact that it is matter of case and counter case, injury is simple in nature, this Court is inclined to grant them relief subject to payment of Rs. 10,000/-, as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Azam Nagar P.S. Case No. 118 of 2022 to the satisfaction of learned C.J.M.,



Katihar, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh

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