

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57221 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Sukhraj Pal, S/O Tufani Pal R/O Village- Chuwan (Chuan), Ps. Bhagwanpur,
Dist. Kaimur At Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Sanjay Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Sanjay Kumar

Tiwary, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Bhagwanpur P.S. Case No. 152 of 2023,
registered under Sections 341, 323, 324, 307, 504 and 506/34
of the Indian Penal Code.

3. As per allegation made in the F.I.R. six accused
persons named in the F.I.R., including the petitioner, assaulted
the informant and one Murari Pal. The specific allegation
against the petitioner is that he along with Tufani Pal had
assaulted Murari Pal.

4. Learned counsel appearing on behalf of the
petitioner submitted that there is long standing dispute with



respect to a piece of land for which a Title Suit No. 64 of 2022 is pending before the Sub-Judge, Kaimur at Bhabua. Learned counsel further submits that there is case and counter case and in course of fierce fight, the petitioner in his self defence may have cause injury to the informant side. In the said incidence, the petitioner's side also sustained injury. Learned counsel appearing on behalf of the petitioner submits that petitioner is ready to compensate the informant side to the person, who has sustained injury and the amount which has been incurred on his treatment. The petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, the petitioner has clean antecedent, there is case and counter case between the parties. The petitioner to get rid of the present litigation is willing to compensate the injured persons the amount which has been incurred in treatment.

7. Let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the learned 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



Chief Judicial Magistrate, Kaimur at Bhabua in connection with
Bhagwanpur P.S. Case No. 152 of 2023, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

8. The Court below may call for the prescription and
treatment expenses of Murari Pal to whom the petitioner has
been alleged to have been assaulted as the petitioner is ready to
compensate the treatment expenses.

(Purnendu Singh, J)

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