

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57731 of 2023

Arising Out of PS. Case No.-222 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

1. Digamber Singh @ Rishi Ranjan Pratap Singh S/O Late Paras Singh R/O Village- Vishnupura, P.S. Chapra Mufassil, Dist. Saran
2. Pappu Singh @ Prem Ranjan Pratap Singh S/O Late Paras Singh R/O Village- Vishnupura, P.S. Chapra Mufassil, Dist. Saran
3. Ankit Singh S/O Digambar Singh @ Rishi Ranjan Pratap Singh R/O Village- Vishnupura, P.S. Chapra Mufassil, Dist. Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioners, learned counsel for the State as well as learned counsel appearing on behalf of the informant.

2. In the present case, the petitioners are apprehending their arrest in connection with Chapra Muffasil P.S. Case No. 222 of 2023, registered on 21.03.2023 for the offences under Sections 341, 323, 324, 307/34 of the Indian Penal Code.

3. As per prosecution case, in the background of



dispute which arose between two groups on account of quarrel taking place while playing cricket, the petitioners armed with lathi-danda and country made katta assaulted the informant and his family members causing a number of injuries to them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter case between the parties. The case filed by the petitioner no.1 is at earlier point of time being Chapra Muffasil P.S. Case No. 213 of 2023 under Sections 341, 323, 324, 307/34 of the Indian Penal Code against the informant and 13 other persons. The petitioners received injuries at the hands of the informant side and some of the injuries are stated to be grievous injuries. Learned counsel further submits that the injury reports of the informant side show simple and grievous injuries but there is no allegation against petitioner no. 2 for causing assault and there is no repetition of blow. Though it has been alleged that the petitioners were brandishing katta but no firing was attributed to the petitioners and the injuries caused by the petitioners on the person of the informant side are not dangerous to life. Learned counsel further submits that it appears to be a case of free fight between two sides and hence, both the sides received injuries.



The petitioners have got no criminal antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the petitioners have assaulted the informant, his uncle and aunt and caused injuries to them.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case apparently in a free fight between the parties and non-serious nature of injuries, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court in connection with Chapra Muffasil P.S. Case No. 222 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

DKS/-

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

