

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57470 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- AMARPUR District- Banka

Shivnandan Ishwar S/o Babu Lal R/o Village- Mohadinagar, Post-
Abhudayashram, P.S- Amarpur, Distt.- Banka, Bihar- 813101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajni Kant Singh, Advocate.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Rajni Kant Singh, learned counsel
appearing on behalf of the petitioner and Mr. Nawal Kishore
Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Amarpur P.S. Case No. 277 of 2023 registered for the
offence punishable under Sections 341, 323, 324, 307 and
506/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that on the order of
Dabloo Ishwar, petitioner gave axe blow over the head of one
Bedanand due to which he started bleeding and became
unconscious. Thereafter when informant reached there, Dabloo
Ishwar also assaulted him by means of iron rod.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent. There is case



and counter case between the parties who are gotiya. There is land dispute between the parties. On the alleged date of incidence, both the parties engaged in fierce fight and petitioner in his self defence without any intention might have caused some injury on the body of the victim. Petitioner has clean antecedent.

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

6. Considering the nature of allegation made against the petitioner and the fact that there is case and counter case between the parties and the petitioner has got clean antecedent, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the 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 CJM, Banka in connection with Amarpur P.S. Case No. 277 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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