

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59829 of 2022

Arising Out of PS. Case No.-20 Year-2021 Thana- KARTAHA District- Vaishali

1. ARVIND RAI Son of Raghuwansh Rai Resident of Village - Yadunathpur, Chandwara, P.s.- Katrasha, Distt.- Vaishali at Hajipur.
2. Raghuwansh Rai Son of Dev Narain Rai Resident of Village - Yadunathpur, Chandwara, P.s.- Katrasha, Distt.- Vaishali at Hajipur.
3. Bindu Devi W/o Raghuwansh Rai Resident of Village - Yadunathpur, Chandwara, P.s.- Katrasha, Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr.Naveen Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 13-03-2023 Heard the learned counsel for the petitioners and
learned APP for the State.

This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 341, 342, 323, 324, 307, 354, 504 and 302/34 of the Indian Penal Code, registered in connection with Kartaha P.S.Case No. 20 of 2021.

As per allegation, when the informant was putting shade on his ancestral land, co-accused persons, including petitioner no.1, objected the same. The allegation against the petitioners and co-accused Banti Kumar is that they assaulted



the informant and his son. His son died during the course of investigation.

The learned counsel for the petitioners has submitted that there is delay of three days in lodging the FIR. As a matter of fact, there is land dispute between the two agnates and the injuries sustained by the deceased are accidental. He has submitted further that co-accused Banti Kumar @ Gautam Kumar Yadav has been granted bail in Cr.Misc. No. 46367 of 2021.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the fact that co-accused Banti Kumar @ Gautam Kumar Yadav has been granted bail by a co-ordinate Bench of this Court, as mentioned above, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Kartaha P.S.Case No. 20 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make available as and when required by the court.



2. If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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