

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66305 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- LAURIA District- West Champaran

1. Laddu Sah Son Of Motilal Sah Resident Of Village- Lauriya Laxmipur, Ps- Lauriya, Distt- West Champaran
2. Bittu Sah Son Of Kanhaiya Sah @ Kanhai Sah Resident Of Village- Lauriya Laxmipur, Ps- Lauriya, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with
Lauriya P.S. Case No. 204 of 2023, lodged on 14.07.2023, under
Sections 147/148/149/341/323/324/307/379/354/504/506 of the
I.P.C.

3. As per the prosecution case, the FIR has been
lodged against six named accused persons in which allegation
against the petitioners is that they have assaulted the informant
by iron rod due to which the informant became unconscious.

4. Counsel for the petitioners submits that petitioners
are innocent and have committed no offence. He submits that



the informant and the petitioners are the resident of same village and they are agnate. Due to land dispute, the dispute between both the families are going on. Counsel submits that during the pendency of the bail application charge sheet has been submitted in this case. He has placed before the Court the certified copy of the charge sheet, in which it transpires that charge sheet has been submitted in this case under Sections 341, 323, 325, 354 and 506/34 of the Indian Penal Code against the present petitioners. Charge sheet for the offences under Sections 307 and 379 of the Indian Penal Code have not been been filed. Counsel submits that it is true that two criminal cases are pending against the petitioners but the petitioners are on bail in both the cases. The petitioners are in custody since 19.07.2023.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Bettiah, West Champaran, in connection with Lauriya P.S. Case No.204/2023, subject to the following conditions:



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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