

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65025 of 2023

Arising Out of PS. Case No.-572 Year-2022 Thana- SUPAUL District- Supaul

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1. Rasdev Kamat Son Of Late Nandlal Kamat Resident Of Supaul Nagar Parishad, Ward No.24, Kewat Tola, Police Station And District - Supaul
 2. Basudev Kamat Son Of Late Nandlal Kamat Resident Of Supaul Nagar Parishad, Ward No.24, Kewat Tola, Police Station And District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 385, 379/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 1 assaulted on the head of informant by means of *danda* and petitioner no. 2 along with other co-accused persons put *Gamchha* around the neck of informant and started pulling which caused suffocation.

4. It is submitted by the counsel for petitioners that on account of land dispute between the parties, a simple occurrence



of *marpit* took place in which both sides sustained injuries. There is case and counter case. Present case is counter blast of Supaul P.S. Case No. 571 of 2022 which was lodged under Section 341, 323, 324, 379, 354(B)/34 IPC by petitioner no. 2 against the informant and others. Moreover, there is delay three days in lodging of the FIR for which there is no plausible explanation.

5. Considering the backdrop in which the occurrence took place, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 572 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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