

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64020 of 2023

Arising Out of PS. Case No.-290 Year-2022 Thana- ARIYARI District- Sheikhpura

MUKESH SINGH @ GUJJAR SINGH, SON OF UPENDRA SINGH,
RESIDENT OF VILLAGE- BARSA, P.S.- ARIYARI (KASSAR),
DISTRICT- SHEIKHPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62139 of 2023

Arising Out of PS. Case No.-290 Year-2022 Thana- ARIYARI District- Sheikhpura

SHANKAR SINGH, SON OF NAWAL KISHORE SINGH, RESIDENT OF
VILLAGE- BARSA P.S.- ARIYARI (KASAR), DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64020 of 2023)

For the Petitioner/s : Mr. Bipin Kumar, Advocate
Ms. Sarita Kumari, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

(In CRIMINAL MISCELLANEOUS No. 62139 of 2023)

For the Petitioner/s : Mr. Madhav Raj, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-12-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for
grant of regular bail in connection with Ariyari (Kassar) P.S.
Case no. 290 of 2022, registered under sections 341, 323, 325,
379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states



that as a result of land dispute, the three named accused persons including the two petitioners herein assaulted her mother with a *laathi* leading to serious injuries and death of the injured in course of treatment.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such occurrence as alleged in the F.I.R has taken place. The cause of false implication is evident from the contents of the F.I.R itself wherein it has been stated that there is land dispute between the parties. The postmortem report states the cause of death to be as a result of infection after the operation which the injured underwent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the material that has transpired in course of investigation especially the contents of the postmortem report together with the petitioners having remained in custody since 21.6.2023 and 3.6.2023 respectively and charge-sheet having been submitted in the case not under section 302 of the Indian Penal Code, both the petitioners are directed to be enlarged on bail in connection



with Ariyari (Kassar) P.S. Case no. 290 of 2022, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Sheikhpura.

(Partha Sarthy, J)

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