

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64783 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

1. JITENDRA KUMAR son of Vidyasagar Singh Village- Rampur Chowkra P.S.- Piri Bazar District - Lakhisarai
2. VIDYASAGAR SINGH son of Late Sahdeo Singh Village- Rampur Chowkra P.S.- Piri Bazar District - Lakhisarai
3. GANESH SINGH son of Late Sahdeo Singh Village- Rampur Chowkra P.S.- Piri Bazar District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-10-2023 Heard Mr. Ravi Shanker Pankaj, learned counsel

appearing on behalf of the petitioners and learned Additional

Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Piri Bazar P.S. Case No. 81 of 2023, registered for the
offences punishable under Sections 147, 148, 149, 323, 324,
307, 504 and 506 / 34 of the Indian Penal Code.

3. The prosecution case is based on the written report
of the informant alleging therein that the petitioners alongwith
others are engaged in illegal lifting of the stones from Hanuman
Than and after crushing it they are selling the chips out of the



village. After knowing the aforesaid fact the Forest Officer Munger has conducted a raid in the village and the petitioners on suspecting the hands of the informant and his family members in causing the raid brutally assaulted them in presence of the other officials. The reason behind the present occurrence is said to be protest being made by the informant and others against the petitioners.

4. It is submitted on behalf of the petitioners that the petitioners are neither any concern with the trading of stone chips nor there is any licence in his favour. He next submits that in fact on account of a trifle a free fight has taken place between both the parties in which some minor injuries have sustained to some of the persons. He further drew the attention of this Court to the injury report and with reference thereto he submits that all the injuries are simple in nature, except one injury, which is sustained over the palm of the informant. He next submits that no injury has sustained over the vital part of the body and as such the application of Section 307 of the Indian Penal Code is not made out in the present case, all the more the petitioners undertake that they will fully cooperate in the investigation or proceeding of the Court.

5. On the other hand, learned counsel for the State



opposes the bail application and submits specific allegation has been levelled against the petitioners and moreover, the petitioner Nos. 1 and 2 bear one criminal antecedent as mentioned in para- 3 of the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the nature of injuries coupled with their undertaking, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate -2nd, Lakhisarai in connection with Piri Bazar P.S. Case No. 81 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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