

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64877 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- MALI District- Aurangabad

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Alok Kumar Son of Kanahiya Chandravanshi Singh R/v- Sori, P.S.- Mali,
District- Aurangabad, Bihar- 824102.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Apurv Harsh, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mali P.S. Case No. 42 of 2022, lodged under Sections 147, 149,
341, 323, 325, 307 & 504 of the Indian Penal Code.

As per prosecution case, the informant has alleged
that when his uncle was returning from Bazar then 10 named
accused persons including the petitioner have surrounded him
and started assaulting him by iron rod. The allegation against the
petitioner is that he has assaulted by sword, due to which, the
uncle of the informant injured. They went Varanasi for his
treatment, it is due to this reason the F.I.R. could be lodged on

24.04.2022 for the occurrence of 22.04.2022.

Learned counsel for the petitioner submits that for the same date and place of occurrence, there are case and counter case, the first F.I.R. has been filed by the side of accused persons of the present case being Mali P.S. Case No.41 of 2022 and second case is the present case i.e. Mali P.S. Case No.42 of 2022. He further submits that both the informant's side and the accused persons of both the F.I.Rs. Belongs to same village and same P.S., they are well known to each other and this dispute has arisen for Pooja in Suri Devi Mandir situated in the said village. He also submits that the said petitioner has also been injured brutally, in which, fracture are there on his head which is apparent from the Annexure-2 & 3. Learned counsel for the petitioner further submits that petitioner is in custody since 24.04.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that this case is the result of group rivalry.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-

1, Aurangabad in connection with Mali P.S. Case No. 42 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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