

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66483 of 2022

Arising Out of PS. Case No.-262 Year-2021 Thana- CHANDI District- Bhojpur

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1. Madan Gopal Singh, Son of Late Kanhaiya Singh Resident of Village- Bhagwatpur, P.S.- Chandi, District- Bhojpur
 2. Mithilesh Singh @ Mithilesh Kumar son of late Biggan Singh resident of village- Arai, P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 03-05-2023 Heard Mr. Bijendra Kumar, learned counsel appearing on behalf of the petitioners and Mr. Shailendra Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Chandi P.S. Case No. 262 of 2021 registered for the offence punishable under Sections 341, 323, 324, 307, 354, 379, 427 and 504/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that due to land dispute, the petitioners and the informant indulged in fierce fight and in course of the same, the petitioner no.1 assaulted on the head of the informant with iron rod whereas petitioner no.2 inflicted lathi blow on the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they



have falsely been implicated in the case. There is land dispute between the parties and due to which the parties indulged in fierce fight in which the informant sustained injury. If any injury has been caused by the petitioners, the same is without intention which has been caused in course of self defence.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the F.I.R., the petitioners have clean antecedent and the injury sustained by the informant is simple in nature, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-V, Bhojpur, Ara in connection with Chandi P.S. Case No. 262 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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