

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68831 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- CHANAN District- Lakhisarai

1. Chandar Das @ Chandan Das (Male), aged about 29 years, son of Manoj Das,
2. Kedar Das, (Male) aged about 61 years, son of late Mangal Das,
Both resident of Village- Maanpur, PS- Chanan Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad. APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that he
does not want to press this application so far as it relates to
petitioner no. 2 (Kedar Das).

3. Accordingly, this application is dismissed as
withdraw in so far as it relates to petitioner no. 2 (Kedar Das).

4. The petitioner no.1, Chandar Das @ Chandan Das,
apprehends arrest in connection with Chanan PS Case No.89 of
2023 dated 16.07.2023, instituted under Sections 341, 342, 504,
506 and 307/34 of the Indian Penal Code.

5. The prosecution case, in brief, is that on the alleged



date of occurrence the informant along with his son went to her orchard to see the mango trees. While returning, they saw that a party was going on in the house of Kedar Das. In the meanwhile, accused Uttam Kumari abused the informant. Other accused persons, namely, Chandan Das, Shrawan Bind, Bablu Manjhi caught hold the informant's son from behind and accused Kedar Das has stabbed a knife in his abdomen. The knife was brought by Uttam Kumari from the house of Kedar Das. On hulla, the informant's elder son, Awadhesh Das, came to their rescue then petitioner Chandan Das and Anshu Kumar tried to stab him but he caught the knife from his hand due to which he sustained injury in his hand. When the villagers came to the place of occurrence, the accused persons fled away.

6. Learned counsel for the petitioner no.1 submits that the petitioner no.1 is innocent and has been falsely implicated in this case. It is further submitted that the specific allegation of assault by knife is against Kedar Das. Allegation against the petitioner no.1 is that he tried to stab the informant's elder son but it was caught by him from his hand. It is further submitted that both the parties are closely related to each other. Lastly, it is submitted that the petitioner no. 1 has one criminal case pending against him.



7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner no. 1 (Chandar Das @ Chandan Das) be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Lakhisarai, in Chanan PS Case No.89 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

9. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

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