

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67305 of 2022

Arising Out of PS. Case No.-390 Year-2022 Thana- DHAKA District- East Champaran

1. Naresh Kumar @ Naresh Raut, Son of Late Bhuneshwar Raut
 2. Rakesh Raut, Son of Late Bhuneshwar Raut
 3. Ramesh Raut, Son of Late Bhuneshwar Raut
 4. Shambhu Raut, Son of Late Sitaram Raut
 5. Birendra Raut, Son of Late Tega Raut
- All are R/o Village-Malkaunia, P.S.- Dhaka, District- East Champaran, Bihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 23-05-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The accused/petitioners are named in the FIR and apprehending their arrest in connection with Dhaka (Pachpakadi O.P.) P.S. Case No.390 of 2022 registered for the offences punishable under Sections 147, 323, 324, 307, 504, 506 and 379 of the Indian Penal Code.

Allegation against the petitioners is to assault the informant and others by means of *lathi*, rod etc. causing head and bodily injuries, having intention to cause their death, where occurrence is arises out of land dispute.



It is submitted by learned counsel that both parties are agnate and the occurrence is founded over land dispute. It is submitted that the number of injuries is simple as regard to assault without having intervening circumstances and, as such, it can safely be gathered that petitioners were not under intention to cause death of informant and others. It is further submitted that as nature of injuries reported after medical examination is simple in nature, which fairly suggest that same is not sufficient to cause death of informant and others in ordinary course of nature. While concluding argument, it is submitted that all petitioners are of clean antecedent.

Learned APP for the State opposes the prayer for bail.

In view of the above-mentioned facts and circumstances and by taking note of nature of injury, which appears simple, accordingly, above-named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks of this order, are directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sikrahana, Dhaka, East Champaran in connection with Dhaka (Pachpakadi



O.P.) P.S. Case No.390 of 2022, subject to the conditions as laid
down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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