

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71413 of 2022

Arising Out of PS. Case No.-341 Year-2022 Thana- KISHANGANJ District- Kishanganj

1. Rahul Kumar, S/o Shikandar Ram, Resident of Village- Mohiuddinpur, Ward No- 13, P.S. And District- Kishanganj.
2. Amit Kumar @ Amit Kumar Ram, S/o Shikandar Ram, Resident of Village- Mohiuddinpur, Ward No- 13, P.S. and District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, if any, be removed within a period of four weeks from today.

The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Kishanganj P.S. Case No. 341 of 2022 registered for the offences punishable under Sections 341, 323, 354, 337, 338, 307, 504, 506/34 of the Indian Penal Code.

The allegation against petitioners are to assault informant and others by means of iron rod causing head and



bodily injuries, having intention to cause their death, where occurrence is alleged to be founded upon trivial disputes arises out of local issues.

It is submitted by learned counsel appearing on behalf of petitioners that there is no allegation available against petitioner no. 1, whereas allegation of assaulting the father of informant by petitioner no. 2 causing single blow without having intervening circumstances, which suggest that petitioner no. 2 was not under intention to cause death of the father of informant. It is also submitted that matter has been compromised between the parties, where it appears that injury received due to falling in drain. While concluding arguments, it is submitted that both petitioners are men of clean antecedents.

Learned APP, while opposing the prayer of bail submitted that the offence alleged is not compoundable in nature.

Considering the aforesaid facts and circumstances and by taking note of nature of allegation as regard to assault, let the above named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj/concerned Court, where the case is pending in connection with Kishanganj P.S. Case No. 341 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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