

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69429 of 2022

Arising Out of PS. Case No.-891 Year-2020 Thana- BIHTA District- Patna

1. Amit Kumar Son of Kamlesh Sharma R/O Vill.- Jamunapur, P.S.- Bihta, Distt.- Patna
2. Ankit Kumar Son of Kamlesh Sharma R/O Vill.- Jamunapur, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2023 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 complaint petition and apprehending their arrest in connection with Bihta P.S. Case No. 891 of 2020, arisen out of Complaint Case No. 782/2020 registered for the offences punishable under Sections 341, 323, 307, 354(B), 387, 392, 452, 504 and 34 of the Indian Penal Code.

The allegation against above named petitioners is to



assault complainant and others causing bodily injuries and also taken away cash of Rs. 30,000/- and ornaments made up of gold belongs to complainant. It is further alleged that the modesty of complainant was outraged during the course of occurrence.

Learned counsel appearing on behalf of the petitioners submitted that the present complaint case is the counter version of Bihta P.S. Case No. 730 of 2020 which was lodged on 01.10.2020. It is further submitted that complainant is the cousin sister of petitioner and matter arises out of land dispute related with partition of ancestral property. It is further submitted that no injury was caused to complainant during the course of occurrence, as same is apparent from Annexure - III of the bail petition. It is also submitted that allegation as regard to looting of cash and gold ornament is only to aggravate the allegation and moreover, petitioner are men of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances and also by taking note of the injury report and alleged land dispute between the parties arises out of partition, let all the above named petitioners, in the event of their arrest or surrender before the Court below, within a period of four weeks of the order, 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 Additional Chief Judicial Magistrate-I, Danapur, Patna/concerned Court, where the case is pending in connection with Bihta P.S. Case No. 891 of 2020, arisen out of Complaint Case No. 782/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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