

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72324 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- CHHATAPUR District- Supaul

1. Ramesh Yadav, Son of Kadamlal Yadav, R/O Dahariya, Ward No.- 11, Police Station - Chhatapur and District - Supaul
2. Nitish Kumar, Son of Ramesh Yadav, R/O Dahariya, Ward No.- 11, Police Station - Chhatapur and District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 323, 325, 307, 379, 506 and other allied sections of Indian Penal Code.

As per prosecution case, these petitioners along with other F.I.R. named accused persons armed with various deadly weapons, assaulted the informant and his family members.

Learned counsel appearing for the petitioners submits that on account of land dispute between the parties, an occurrence of simple *maar-peet* took place between them in which both sides sustained injuries. Case and counter case. Petitioners claim clean antecedent.

However, learned counsel opposes the prayer for bail application of the petitioners submitting that from perusal of the



F.I.R., it is apparent that petitioner No. 1 caused grievous injury. So far petitioner No. 2 is concerned, injury caused by him is simple in nature.

Considering the aforesaid facts and simple nature of injury caused by petitioner No. 2, let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Supaul in Chhatapur P. S. Case No. 167 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Considering the grievous nature of injury caused by petitioner No. 1, prayer for bail of the above named petitioner No. 1 is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

Accordingly, this case is disposed of.

(Prabhat Kumar Singh, J)

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