

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70401 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Ashok Singh Son of Late Shivjee Singh Resident Of Village- Kalyanpur, P.S.- Sahebpur Kamal, District- Begusarai.
 2. Rakesh Singh S/O Ashok Singh Resident Of Village- Kalyanpur, P.S.- Sahebpur Kamal, District- Begusarai.
 3. Rahul Singh @ Rahul Kumar S/O Ashok Singh Resident Of Village- Kalyanpur, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2023 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, be

removed within a period of four weeks from today.

The accused/petitioners are named in the F.I.R. and

apprehend their arrest in connection with Sahebpur Kamal P.S.

Case No. 232 of 2022 registered for the offences punishable

under Sections 147, 148, 149, 342, 307, 379, 506 and 324 of the

Indian Penal Code (in short 'I.P.C.').

The allegation against these petitioners is to assault



informant and others by means of *lathi* causing head and bodily injuries, having intention to cause their death, where occurrence is founded over land dispute.

Learned counsel appearing on behalf of the petitioners submitted that the occurrence is appearing free fight in nature, where both parties received injuries and for the same set of occurrence Shahpur Kamal P.S. Case No. 235 of 2022 was lodged by the petitioner's side. It is submitted that though alleged injury appears to be caused on the head of injured but same is simple in nature and not appears to cause death in ordinary course of nature. It is also submitted that occurrence is founded over land disputes. While concluding the argument it is submitted that petitioners are men of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances as mentioned above, as occurrence is free fight in nature where nature of injury appears simple, let both 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 anticipatory bail on 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-IV, Begusarai/concerned Court, where
the case is pending in connection with Sahebpur Kamal P.S.
Case No. 232 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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