

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72547 of 2022

Arising Out of PS. Case No.-243 Year-2019 Thana- KARAKAT District- Rohtas

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1. Arjun Kumar @ Bir S/O Jaichand Ram R/V- Sikariya (Naujadik Tola), P.S.- Karakat, District- Rohtas
 2. Jaichand Ram @ Jaichand Prasad S/O Late Nathuni Ram R/V- Sikariya (Naujadik Tola), P.S.- Karakat, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-04-2023 Heard Mr. Shashikant, learned counsel for the petitioner and learned APP for the State.

Petitioners apprehend their arrest in connection with Karakat P.S. Case No.243 of 2019, corresponding to G.R. No. 1468 of 2019, for the offences registered under Sections 341, 323, 325, 308, 504/34 of the Indian Penal Code.

It is alleged that while the informant was sitting at his door, in the meantime, all the accused persons including petitioners armed with *Lathi*, *Danda* came and started abusing and on protest the informant was assaulted, due to which he sustained injuries. It is further alleged that when the family members of the informant came to his rescue, they were also



assaulted by the accused persons.

Learned counsel appearing on behalf of the petitioners submits that both the parties are neighbour and dispute arose on account of drainage. He further submits that all the injuries are simple in nature and no specific allegation of any assault has been leveled. Apart from the fact that there is counter version of present case, bearing Karakat P.S. Case No. 244 of 2019. He next submits that all the offence are bailable except Section 308 of the Indian Penal Code, which does not even attract, considering the nature of the injuries.

On the other hand, learned counsel for the informant vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the trifling nature of dispute and the weapon used as well as injuries, which are simple in nature, coupled with the fair antecedent of the petitioner, let the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate-II, Bikramganj in connection with Karakat
P.S. Case No.243 of 2019, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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