

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.585 of 2023

Arising Out of PS. Case No.-154 Year-2022 Thana- BARACHATTI District- Gaya

1. Ramdhani Prasad, Son of Late Bhagat Mahto
 2. Biru Kumar @ Nitish Kumar, Son of Ramdhani Prasad
 3. Biku Kumar Son of Ramdhani Prasad
- All are R/o Village- Binda, P.S.- Barachatti, District- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The accused/petitioners are named in the FIR and apprehending their arrest in connection with Barachatti P.S. Case No.154 of 2022 registered for the offences punishable under Sections 341, 323, 325, 308, 379, 504 and 506 read with 34 of the Indian Penal Code.

The allegation against the petitioners is to assault the informant and others along with co-accused persons causing bodily injuries likely to cause their death, where occurrence is founded over land dispute.

It is submitted by learned counsel that allegation as



regard to assault is general and omnibus against these petitioners, where nature of injuries is appearing simple, sufficient to suggest that same cannot cause death in ordinary course of nature. It is submitted that admittedly occurrence took place out of land dispute and moreover, petitioners are men of clean antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer of bail.

In view of the above-mentioned facts and circumstances and by taking note of general and omnibus allegation as regard to assault, where nature of injuries reported to be simple, let above-named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks of this order, be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Sherghati, Gaya in connection with Barachatti P.S. Case No.154 of 2022, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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