

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.452 of 2023

Arising Out of PS. Case No.-438 Year-2021 Thana- ATRI District- Gaya

1. Sudhir Kumar @ Satish Kumar Son Of Arun Kumar Singh R/V- Bhatu Bigha, P.S.- Atri, District- Gaya
2. Nandan Kumar Son Of Vijay Singh R/V- Bhatu Bigha, P.S.- Atri, District- Gaya
3. Vijay Singh Son Of Late Rambaran Singh R/V- Bhatu Bigha, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

Petitioners along with other accused persons are said to have assaulted the informant by means of Garasa and rod on his head. When the wife of the informant came in rescue then other accused persons also assaulted her as a result of which both of them received injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case due to land dispute. He submits that there is case and counter case between the parties and both sides have sustained grievous injury. He submits that occurrence took place on 24.10.2021 but the FIR has been lodged on 14.12.2021 after delay of 48 days without explaining any reasonable cause of delay. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that both sides have sustained grievous injury, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Atri P.S. Case No. 438 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

