

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74476 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- HAYAGHAT District- Darbhanga

1. NITESH KUMAR SAH @ NITESH KUMAR GUPTA @ NITESH GUPTA S/O Suresh Prasad Gupta @ Suresh Sah R/O Village- Hayaghat, P.S- Hayaghat, District- Darbhanga
2. Pawan Kumar Gupta S/O Late Kishunji Sah R/O Village- Hayaghat, P.S- Hayaghat, District- Darbhanga
3. Manish Kumar Gupta S/O Late Madan Sah R/O Village- Hayaghat, P.S- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 160 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- HAYAGHAT District- Darbhanga

MUKESH KUMAR GUPTA S/o Suresh Prasad Gupta @ Suresh Sah R/o village- Hayaghat, P.S.- Hayaghat, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74476 of 2022)

For the Petitioners : Mr. Girish Chandra Jha, Advocate

For the State : Mr. H.A. Khan, APP

(In CRIMINAL MISCELLANEOUS No. 160 of 2023)

For the Petitioner : Mr. Girish Chandra Jha, Advocate

For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-02-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.



Heard learned counsel for the petitioners, learned APP for the the State as well as learned counsel appearing on behalf of the informant.

Petitioners apprehend their arrest in connection with Hayaghat P.S. Case No.130 of 2022, registered for the offences punishable under Sections 341, 323, 385, 307, 379, 504, 506 and 34 of the Indian Penal Code.

As per FIR, it is alleged that the informant was constructing his house, in the meantime, the petitioners alongwith other co-accused persons stopped the construction work and demanded ransom of Rs.5,00,000/- and on refusal, the accused persons started brick-bating and further assaulted the informant and his brother with iron rod and also snatched golden chain.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioner no.1 of Cr. Misc. No.74476 of 2022 and petitioner of Cr. Misc. No.160 of 2023 have got one criminal antecedent and rest petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petitions. It is further submitted that there is case and counter case between the parties and both sides sustained injuries.



Learned counsel for the petitioners enclosed the injury report of the injured in Cr. Misc. No.160 of 2023, from perusal of which, it appears that the injuries are simple in nature.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the facts that there is admitted land dispute between the parties and injuries sustained by the injured person are simple in nature, let petitioners, above named, 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 bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Hayaghat P.S. Case No.130 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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