

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15136 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- BIRPUR District- Supaul

Saryug Mehta S/o Late Dukhi Lal Mehta R/o vill - Babaili Patti, ward no. 04,
P.S. - Birpur, Dist. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Birpur P.S. Case No. 252 of 2023, registered for the offences punishable under Sections 148, 149, 447, 342, 341, 506, 504, 323, 325, 308, 354(B)/379 of the Indian Penal Code.
3. The allegation against above named petitioner is to assault informant by means of iron rod and spade, causing head and bodily injuries, having



intention to cause death, where occurrence is alleged to be arises out of boundary disputes.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely out of land disputes, where present FIR appears to lodge with a delay of four days. It is submitted that allegation *qua* petitioner is specific to assault on head of informant, causing head injuries but the medical report of injured clearly suggest that no any such injuries, as alleged was found on head of informant upon medical examination. It is submitted that occurrence is also appears free fight in nature, for which cross case was registered by petitioner's side which has been lodged as Birpur P.S. Case No. 254 of 2023.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as, occurrence is free fight, where injuries as alleged not appears detected upon medical examination of informant,



accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- I, Birpur at Supaul/concerned Court, where the case is pending in connection with Birpur P.S. Case No. 252 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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