

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8513 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. RAM SHANKAR SINGH Son of Late Nageshwar Singh Resident of Village-Manjhaul, Baba Tola, Ward No. 1, Police Station-Cheria Bariyarpur, District-Begusarai.
 2. ABHISHEK KUMAR @ PANKAJ KUMAR Son of Ram Shankar Singh Resident of Village-Manjhaul, Baba Tola, Ward No. 1, Police Station-Cheria Bariyarpur, District-Begusarai.
 3. AJAY KUMAR SINGH @ GANESH SINGH Son of Ram Shankar Singh Resident of Village-Manjhaul, Baba Tola, Ward No. 1, Police Station-Cheria Bariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh, Adv.
For the Informant	:	Mr. Abul Kalam, Adv.
		Mr. Arun Kumar Tiwari, Adv.
For the Opposite Party/s	:	Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Cheria Bariyarpur P.S. Case No. 306 of 2023 dated 23.10.2023 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323, 379, 427, 448, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons were cutting the informant's tree. On being



protested, the petitioners and the co-accused persons assaulted the informant with lathi and danda. The petitioner no. 2 assaulted the informant with danda and the petitioner no. 3 assaulted him with Chaukhat on his head causing injury.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. The petitioner no. 1 is simply an order giver. It is further alleged that the injury is simple in nature caused by hard and blunt substance. The petitioners had no intention to cause death. No offence u/s 307 of the IPC is made out against the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Manjhaul, Begusarai in connection with Cheria Bariyarpur P.S. Case No.



306 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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