

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7297 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- MIRGANJ District- Gopalganj

1. Dhruv Singh @ Dhruw Kumar Singh S/o- Late Dip Narayan Singh Resident of Village- Sihorwan PS- Mirganj District - Gopalganj
2. Harendra Singh son of Late Dip Narayan Singh Resident of Village- Sihorwan PS- Mirganj District - Gopalganj
3. Sri Krishna Singh son of Late Dip Narayan Singh Resident of Village- Sihorwan PS- Mirganj District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Mirganj P.S. Case No. 400 of 2023, registered on 24.10.2023 for the offences under Sections 341, 323, 354B, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the informant, her husband and brother-in-law with iron rod.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case and both sides are close agnates and there is land dispute between the parties which is also apparent from the FIR. Petitioner no. 3 has filed Mirganj P.S. Case No. 396 of 2023 against the informant of this case and her family members in which a number of persons from the petitioners side have received injuries. As a counter blast the present case has been lodged after nine days for which there is no explanation. Learned counsel further submits that the informant side is aggressor and the injuries received by the informant side is simple injury except one injury on the husband of the informant which is stated to be grievous caused by hard and blunt substance. The petitioners have got no criminal history.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the possibility of false implication and simple nature of injury upon the informant, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be



released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj/concerned court in connection with Mirganj P.S. Case No. 400 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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