

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17049 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- AMARPUR District- Banka

1. Nand Kishore Choudhary S/o- Late Ramdeo Choudhary Village- Mohdinagar Gopalpur P.S- Amarpur Dist- Banka
2. Suraj Kumar son of Nand Kishore Choudhary Village- Mohdinagar Gopalpur Ps- Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Tiwary, Advocate.
For the State : Mr.Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-07-2024 Heard Mr. Lakshmi Kant Tiwary, learned counsel appearing on behalf of the petitioners and Mr. Murli Dhar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Amarpur P.S. Case No. 278 of 2023 registered for the offence punishable under Sections 323, 379, 307 and 504/34 of the Indian Penal Code.

3. The allegation against the accused persons including the petitioners is of assaulting the informant and looting his maize crop including some grocery items.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have



falsely been implicated in the case. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. There is case and counter case between the parties. Due to land dispute, both the parties indulged into fierce fight and as a result of that, the petitioners side might have caused some injury to the informant's side which was in self defence and was not intentional.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 278 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in Para-3 of the bail petition, this order will automatically lose its



force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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