

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10467 of 2024

Arising Out of PS. Case No.-535 Year-2023 Thana- MADHUBAN District- East Champaran

1. Ranjeet Kumar @ Ranjeet Bhagat S/O Indradev Bhagat R/O Village- Pundar, Ward No. 15, Ps.- Madhuban, Distt.- East Champaran.
2. Harendra Bhagat S/O Basudev Bhagat R/O Village- Pundar, Ward No. 15, Ps.- Madhuban, Distt.- East Champaran.
3. Nitish Kumar @ Nitesh Kumar S/O Basudev Bhagat R/O Village- Pundar, Ward No. 15, Ps.- Madhuban, Distt.- East Champaran.
4. Babulal Bhagat S/O Late Mahavir Bhagat R/O Village- Pundar, Ward No. 15, Ps.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioners are apprehending their arrest in connection with Madhuban P.S. Case No. 535 of 2023, registered for the alleged offence under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 447, 448, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, the petitioners and co-accused persons, variously armed, came to the house of the informant and assaulted the informant and her family members, causing a number of injuries to them. They also looted a gold



ornaments and Rs. 20,000/- in cash from the informant's house.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties and Madhuban P.S. Case No. 536 of 2023 has been lodged by the mother of petitioner no. 1 against the informant and her family members. All the injured persons have received simple injuries. Learned counsel further submits that the petitioners and persons of informant's side are agnates and there is land dispute between them. The FIR has been registered after delay of six days, for which there is no explanation. Learned counsel further submits that the injuries on the victims have been examined by the doctor and injuries have been found to be simple in nature. Moreover, the injuries are bruise, lacerated wound, body-ache, pain & swelling only. Learned counsel further submits that the petitioners are having criminal antecedent of one case each.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the simple nature of injuries and case and counter case between the parties and further considering the possibility of false implication, let the petitioners above named, in the even of their arrest or



surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond 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, East Champaran, Motihari/concerned court in connection with Madhuban P.S. Case No. 535 of 2023, subject to the condition 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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