

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13131 of 2024

Arising Out of PS. Case No.-427 Year-2023 Thana- UJIYARPUR District- Samastipur

1. Ajay Kumar @ Ajay Kumar Das Son of Raj Kumar Das Resident of Village- Chaksikay, Police Station- Ujiyarpur, District- Samastipur
2. Raja Kumar Son of Raj Kumar Das Resident of Village- Chaksikay, Police Station- Ujiyarpur, District- Samastipur
3. Sunita Devi Wife of Raj Kumar Das Resident of Village- Chaksikay, Police Station- Ujiyarpur, District- Samastipur
4. Jyoti Kumari Wife of Ajay Kumar @ Ajay Kumar Das Resident of Village- Chaksikay, Police Station- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Ujiyarpur P.S. Case No. 427 of 2023 registered under Sections 341, 323, 324, 307, 354B, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the allegation against the petitioner no. 1 is of assaulting the informant by *lathi*. Co-accused Raj Kumar Das assaulted on the head of the informant by *pagharia*. The allegation against the petitioner no.



3 is of pressing the neck of the informant with an intention to kill him. It is further alleged that all the accused persons including the petitioners assaulted the brother of the informant. Co-accused Raj Kumar Das and petitioner no. 2 tried to outrage the modesty of one Sapna Kumari. It is also alleged that petitioner no. 4 snatched a gold ornament from the neck of Sapna Kumari.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to land dispute. Further submission is that there is case and counter case between the parties. Both the parties have sustained injuries in the alleged occurrence. It is submitted that the present case is a counter blast of Samastipur SC/ST P.S. Case No. 102 of 2023 which was lodged by the petitioner no. 3. The injuries sustained by injured persons are simple in nature. It is lastly submitted that the petitioners have got no criminal antecedent.

5. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of



the like amount each to the satisfaction of Sub-Divisional
Judicial Magistrate, Dalsinghsarai, Samastipur in connection
with Ujiyarpur P.S. Case No. 427 of 2023, subject to the
conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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