

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23833 of 2024

Arising Out of PS. Case No.-116 Year-2021 Thana- LAURIA District- West Champaran

1. Ramadhar Dubey Son of Late Kedar Dubey Resident of Village- Briti Tola, Jamunia, PS- Lauriya, Distt- West Champaran
2. Amit Dubey @ Amit Kumar Dubey Son of Ramadhar Dubey Resident of Village- Briti Tola, Jamunia, PS- Lauriya, Distt- West Champaran
3. Adarsh Dubey @ Adarsh Kumar Dubey Son of Ramadhar Dubey Resident of Village- Briti Tola, Jamunia, PS- Lauriya, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Lauriya P.S. Case No. 116 of 2021, registered on 19.05.2021 for the offences under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and other co-accused persons tried to forcibly take signature of the informant on some paper and on his resistance, the informant was assaulted with iron rod. The assailants also snatched gold chain and cash from the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners and the informant side are agnates and there is land dispute between them which is apparent from the F.I.R. There is counter version of the case and Lauriya P.S. Case No. 117 of 2021 has been registered by petitioner no. 3 against the informant side under Sections 307, 379 and other allied sections of the Indian Penal Code for the same occurrence. Injury report of the informant does not show any serious injury and one lacerated wound has been found on the parietal region of the head but it is 2" x 1/2" skin deep and the other two injuries are abrasion and pain. The matter has been compromised between the parties. The petitioners are having clean antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and also considering the case and counter case of the parties and background of land dispute, 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 A.C.J.M.-1st, West Champaran, Bettiah in connection with Lauriya P.S. Case No. 116 of 2021, 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 below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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