

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17919 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- BHEJA District- Madhubani

1. SHIVGATULLAH @ MD. BECHAN SON OF MD. ABUNASAR @ ABUNASAR RESIDENT OF VILLAGE - MAHPATIA, P.S. - BHEJA, DISTRICT - MADHUBANI
2. ABUNASAR @ MD. ABUNASAR SON OF AKALU RESIDENT OF VILLAGE - MAHPATIA, P.S. - BHEJA, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat , Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 324, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code .

3. As per the prosecution case , petitioner No. 1 along with co-accused Ijhar were demolishing the house of the informant and on protest from the informant and others, petitioner No. 1 along with other co-accused persons assaulted the informant . It is further alleged that petitioner No. 2



assaulted on the right leg of one Laddan due to which he sustained injury .

4. It is submitted on behalf of the petitioners that the specific allegation of assault on the head of the informant by means of farsa is against co-accused Ijhar and so far as these petitioners are concerned there is general and omnibus allegation against them. Though there is allegation of assault by iron rod on the leg of Laddan but there is no injury report on the record. Lastly , he submits that due to land dispute a simple occurrence of maarpeet took place between the parties. Injuries sustained by injured are simple in nature . Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the nature of injury , clean antecedent of the petitioners and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM IInd Jhanjharpur, District- Madhubani in connection with Bheja P.S. Case No. 57 of 2023 , subject to the conditions laid down



under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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