

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27696 of 2024

Arising Out of PS. Case No.-115 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Mukesh Kumar Singh @Krishna Kumar Singh Son Of Shyam Sundar Singh Suman Resident Of Village- Madhuwan (Madhuban), Ps- Udakishunganj, Dist- Madhepura
 2. Mithilesh Kumar Singh @ Mithilesh Singh Son Of Late Suresh Prasad Singh Resident Of Village- Phulmallik (Fulmallik), Ward No. 01, Ps- Sahebpur Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, Petitioner No. 1 assaulted on the head of wife of the informant by means of iron rod and Petitioner No. 2 assaulted the informant by means of iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioners that these petitioners have falsely been implicated in this case. As a matter of fact, Petitioner No. 1 and informant are full brothers and due to land dispute, a simple



maar peet took place between the parties. The F.I.R. has been lodged after delay of six days and there is no explanation for the same. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that the injuries caused by Petitioner No., 1 have been opined to be grievous in nature and the injuries caused by Petitioner No. 2 have been opined to be simple in nature.

6. Considering the aforesaid facts and circumstances and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

7. So far as Petitioner No. 2 is concerned, considering the nature of injuries and clean antecedents of the petitioner, the prayer for grant of bail to Petitioner No. 2 is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named Petitioner No. 2 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Udakishunganj, in connection with Udakishunganj P.S. Case No. 115 of 2022, subject to condition as laid down



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

(Prabhat Kumar Singh, J)

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