

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31685 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- PUPRI District- Sitamarhi

1. Vimlesh Kumar Choudhary @ Bimlesh Choudhary S/o- Ramdahin Chaudhari , R/o Village- Dumharpatti PS- Pupri Dist- Sitamarhi.
2. Sarvesh Choudhary @ Sarvesh Chaudhari, son of Ramdahin Chaudhari, R/o Village- Dumharpatti PS- Pupri Dist- Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-05-2024 Heard Mr. Pushpendra Kumar Singh, learned
counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Pupri P.S. Case No. 57 of 2023 registered for the offences punishable under Sections 341, 323, 324, 379, 447 and 504/34 of the Indian Penal Code.

3. Allegedly, while the informant was returning to her house, in the meantime, she found that the petitioners were pruning the grass in her field and when she protested, both the petitioners started assaulting her. On screaming, when her father-in-law and husband came there, the petitioners also assaulted them by means of *Hasua* and knife due to which they



sustained injury.

4. Learned counsel for the petitioners submitted that the present case is nothing but a counter blast to Pupri P.S. Case No. 56 of 2023 instituted by petitioner no.2 against the husband of the informant and his other associates. He further submitted that, in fact, the assault made by the informant's husband and his associates, the petitioners have sustained serious injuries and for which they were admitted in Sadar Hospital, Sitamarhi. The present case is nothing but to mount pressure upon the petitioners. Further contention has been made that there is land dispute between the parties pending since long. Drawing the attention of this Court to the impugned order, it is next contended that neither there is any injury report along with the case diary nor it has been submitted by the prosecution, though the matter is pending since long.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that specific allegation of assault has been levelled against the petitioners.

6. Regard being had to the submissions made on behalf of the parties and considering the case and counter case and the fact that there is no injury report on record suggesting



any injury has sustained to the informant or his family members, coupled with the pending litigation, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Pupri P.S. Case No. 57 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

