

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46321 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- DAGARUA District- Purnia

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1. Md. Faiyaz Son Of Md. Rayees Resident Of Village - Kamalpur Khagota, Police Station - Dagarua, District - Purnea
 2. Md. Rafique @ Rafique Son Of Late Saidul Resident Of Village - Kamalpur Khagota, Police Station - Dagarua, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections-147, 148, 149, 341, 323, 324, 307, 327, 379, 504 & 506 of the Indian Penal Code.

3. Allegedly, the accused persons including the petitioners having armed with weapons came and forcibly tried to plough the land of the informant. On protest made by the informant, the accused persons abused and started assaulting him by fists and slaps. Thereafter, some other accused persons came there and assaulted the informant by means of sword as a result of which, blood started oozing from the head of the informant. While the other persons came to rescue the informant, they were also assaulted.

4. Learned counsel for the petitioners has submitted



that admittedly, there is land dispute between the parties. Allegation against the petitioner No. 1 is to assault Md. Faiyaz with iron rod whereas the petitioner No. 2 is alleged to have assaulted Md. Sahid in his left leg. Both the injuries are simple in nature.

5. On the other hand, learned APP has opposed the prayer for bail and submitted that the petitioners with intention to kill, inflicted deadly blow on the persons of Faiyaz and Sahid and hence, they do not deserve bail.

6. Considering the aforesaid facts and circumstances as also the fact that there is land dispute between the parties and the injuries are simple in nature, let the petitioners named above, be released 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 Sri Prabhat Kumar Ranjan, learned Judicial Magistrate-Ist Class, Purnea in connection with Dagarua P.S. Case No. 45 of 2024 with condition that the petitioners shall cooperate with the trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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