

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53373 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- KISHANPUR District- Supaul

1. Gagan Kumar Yadav @ Gagan Kumar Son of Upendra Yadav R/O Vill.-
Mehasimar, Ward no. 11, P.S.- Kishanpur, Dist.- Supaul
2. Laltu Kumar @ Brajesh Kumar Son of Surendra Yadav R/O Vill.-
Mehasimar, Ward no. 11, P.S.- Kishanpur, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Mr. Navin Kr. Pandey,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard the parties.

2. Learned counsel for the petitioners seeks permission to correct P.S. Case number mentioned in paragraph no. 11 of the bail petition during the course of the day itself.

3. Permission accorded.

4. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Kishanpur P.S. Case No. 273 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 384, 354(B), 373, 504 and 506 of the Indian Penal



Code.

5. The allegation against petitioners are to assault the husband of the informant by means of butt of gun and other weapons causing bodily injuries where occurrence is alleged to be arising out of property/land dispute.

6. It is submitted by learned counsel appearing on behalf of the petitioners that the occurrence was free fight in nature arising out of property disputes where both the parties received injuries which is simple in nature. Learned counsel further submitted that for the same set of occurrence criminal case against the informant and others has been registered as Kishanpur P.S. Case No. 274 of 2023.

7. Learned APP, opposes the prayer of bail.

8. In view of aforesaid factual submissions and by taking note of the fact as occurrence appears free fight in nature where injuries as alleged to be received by the informant during the course of occurrence is



simple in nature, accordingly, petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-I, Supaul/concerned Court, where the case is pending in connection with Kishanpur P.S. Case No. 273 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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