

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51964 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- CHENARI District- Rohtas

1. Indramuni Pasi Son Of Late Shiv Prasad Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
2. Anandi Pasi @ Anandi Choudhary Son Of Late Shiv Prasad Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
3. Ranjan Kumar Pasi @ Ranjan Kumar Son Of Indramuni Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
4. Chhotu Kumar @ Chhotu Kumar Pasi Son Of Indramuni Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
5. Chandan Kumar Pasi @ Chandan Kumar Son Of Indramuni Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
6. Rajendra Pasi @ Rajendra Kumar Son Of Indramuni Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
7. Manoj Kumar Pasi @ Manoj Kumar Son Of Anandi Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
8. Sakhan Pasi @ Shravan Pasi Son Of Anandi Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas
9. Dharmendra Pasi Son Of Late Ramashish Pasi Resident Of Village - Badalgarh, P.S. - Chenari, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending
their arrest in connection with Chenari P.S. Case No. 138 of 2024
registered on 25.04.2024 for the alleged offences under Sections



147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioners who were armed with *lathi*, *danda* and other sharp weapons, assaulted the informant causing injury on his head which got fractured. The nephew of the informant received injury on his nose. Other family members of the informant were also assaulted.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. The petitioners and the informant side are agnates. Nature of injuries are quite simple and non-serious. There is no specific allegation against any of the petitioners. Learned counsel further submits that there is counter version of the said occurrence and petitioner no.1 has also filed Complaint Case No. 606 of 2024 under Section 307 and other incidental section of IPC read with Section 27 of the Arms Act. Learned counsel further submits that one of the victims has external injuries whereas other victims have bodyache, pain and swelling and none of the injuries could be said to be serious. Petitioner nos. 3 to 9 are having clean antecedent whereas petitioner nos.1 and 2 are having criminal antecedent of one case each.

5. Learned APP vehemently opposes the submissions



made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injury in the background of case and its counter version and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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 learned A.C.J.M., Rohtas at Sasaram/ court concerned in connection with Chenari P.S. Case No. 138 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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