

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50188 of 2024

Arising Out of PS. Case No.-583 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

1. Rameshwar Prasad S/o- Late Ramji Sah Village- Belwaganj Ps- Laheriasarai Dist- Darbhanga
2. Kumar Bharat Shambhu Ji @ Shambhu Kumar son of Rameshwar Prasad Village- Belwaganj Ps- Laheriasarai Dist- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Saurav Anand, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the O.P. No.2	:	Mr. Ankit Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 17-12-2024 Heard Ld. counsel for the petitioners, Ld. APP for the State and learned counsel for the Opposite Party No.2.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Laheriasarai P.S. Case No.583 of 2023 dated 17.12.2023, registered for the offences punishable under Sections 147, 149, 341, 323, 325, 308, 354(B), 379, 504, 506/34 of the Indian Penal Code.

3. As per allegation, there was altercation between both the informant side and the accused side, leading to injury on both the sides. A counter case bearing Laheriasarai P.S. Case No.585 of 2023 has also been lodged against the informant side



by the Petitioner side.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that both the informant and accused sides are agnates and the altercation took place in regard to land dispute. Hence, case and counter case has also been filed between the parties. He also submits that ultimately the matter has been compromised between the parties. Copy of the compromise has been filed on record across the board and the same has been taken on record.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no.1 has been made accused in one other case and petitioner no.2 has been made accused in three other cases in which they are on bail.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No.583 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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