

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53353 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- PIPRA District- Supaul

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1. Ranjeet Choudhary @ Ranjeet Kumar Son Of Umesh Chaudhary Resident Of Village - Rz 1996, Gali No. 23, Aali, South Delhi, P.S. - District -Delhi
 2. Umesh Chaudhary Son Of Jagdish Chaudhary Resident Of Village - Ward No.8, Jolhaniya, P.S. - Pipra, District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Pipra P.S. Case No. 33 of 2024 registered for the offences punishable under Sections 323, 341, 342, 354(B), 379, 307, 504, 506/34 of the Indian Penal Code.

3. The allegation against petitioners are to assault the informant and others along with co-accused persons causing bodily injuries which may likely to cause death where occurrence is alleged to be arising out of trivial



issue of water logging in courtyard of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners have falsely been implicated with present case being neighbor of the informant. It is pointed out that for the same set of occurrence petitioners had also lodged a case against the informant which was registered subsequently as Pipra P.S. Case No. 37 of 2024. It is submitted that occurrence appears to be free fight in nature therefore it can be said safely that "intention to cause death" is not available in present case, which is a prime legal ingredients as to constitute a *prima-facie* case under Section 307 of the IPC. It is submitted that injuries which was found upon medical examination as grievous in nature was attributed to co-accused Mahendra Choudhary and not against these petitioners. While concluding arguments, it is submitted that



petitioner no. 1 found involved in one trivial nature of criminal case where he is on bail and petitioner no. 2 is a man of clean antecedents.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, and by taking note of fact as occurrence *prima-facie* appears free fight in nature, where grievous injury not appears to be attributed to above named petitioners, accordingly, in the event of arrest or surrender before the court below within a period of four weeks, both above named petitioners 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 J.M. 1st Supaul/concerned Court, where the case is pending in connection with Pipra P.S. Case No. 33 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Chandra Shekhar Jha, J)

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