

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62232 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- KATORIYA District- Banka

1. Ramnath Das son of Late Tilak Das Ro- Radhanagar Hathgarh, PS- Katoriya, Dist- Banka
2. Surji Devi wife of Ramnath Das Ro- Radhanagar Hathgarh, PS- Katoriya, Dist- Banka
3. Mithu Das @ Mithun Das son of Ramnath Das Ro- Radhanagar Hathgarh, PS- Katoriya, Dist- Banka
4. Kavita Devi @ Kavita Kumari wife of Mithun Das Ro- Radhanagar Hathgarh, PS- Katoriya, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Katoriya P.S. Case No. 03 of 2023 registered under Sections 341, 323, 325, 452, 427, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on 01.01.2023 at 06:00 P.M., while the informant was at his house, in the meantime, all the F.I.R. named accused persons including these petitioners in drunken condition entered his house and assaulted informant and his family members by means of *lathi*, fists and legs. As a result of which, they sustained injuries.



4. Learned counsel appearing on behalf of the petitioners submits that both parties are close neighbours and due to petty dispute, a free-fight took place between them, in which both parties sustained injuries. Case and counter case. Allegation of assault is general and omnibus. Petitioners claim clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the bail application and submits that petitioners are named in the First Information Report. There is specific allegation of assault against these petitioners.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No. 03 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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