

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58969 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SIKRAUL District- Buxar

SANTOSH BIND @ SANTOSH CHOUDHARY S/O BHOBHAL BIND R/O
VILLAGE- NIYAJIPUR DERA, P.S- SIKRAUL, DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Anil Kumar Roy, Advocate
For the State : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-09-2024 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioner seeks permission to make necessary changes in Paragraph No. 3 of this bail petition during course of the day.

3. Permission, as prayed for, is accorded.

4. The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 337, 307, 504 and 34 of the Indian Penal Code.

5. As per prosecution case, on 17.02.2024 at about 6:30 PM, all the F.I.R. named accused persons, including this petitioner, were digging soil with J.C.B. machine from a plot which was barren due to dispute and the same was being used as a road by co-villagers as road and upon protest by the informant, all the accused persons named in the F.I.R., including this



petitioner, assaulted informant and another co-villager, namely Asha Devi, as a result of which they sustained head injuries.

6. It is submitted by learned counsel for the petitioner that from bare perusal of the F.I.R. it is apparent that there is admitted land dispute between the parties. Allegations of assault is general and omnibus. There is no specific accusation of overt act against this petitioner. Petitioner is in custody since 17.05.2024.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the aforesaid facts and circumstances of the case, nature of accusation and period of custody, the prayer for grant bail of to the petitioner is allowed.

9. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Sikraul P.S. Case No. 18 of 2024.

(Prabhat Kumar Singh, J)

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