

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56572 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- TARAIIYA District- Saran

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1. Sarswati Devi Wife Of Raj Kumar Singh Village- Sangrampur, Ps- Taraiya, Dist- Saran
 2. Raj Kumar Singh Son Of Rajendra Singh Village- Sangrampur, Ps- Taraiya, Dist- Saran
 3. Rabishankar Singh @ Ravishankar Singh Son Of Kripal Singh Village- Gokul Nagar Panihati, Ps- Panihati, Dist- North Twenty Four Parganas, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 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 Taraiya P.S. Case No. 40 of 2024 registered on 01.02.2024 for the alleged offences under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the informant, his wife and his sons causing a number of injuries to them.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. Informant is the younger brother of the petitioner no.2 and there is land dispute between the parties. Prior to lodging of the present case, petitioner no.1 had filed Taraiya P.S. Case No. 39 of 2024 as the informant side assaulted the petitioners and his family members and the informant side is aggressor. Coming to know about lodging of Taraiya P.S. Case No. 39 of 2024, in order to save their skin, the informant side has lodged the present case. For this reason, there is no injury report of the victims brought on record. Petitioner no.3 is the father of petitioner no.1 and he does not reside at the place of occurrence. Petitioner nos. 1 and 3 are having no criminal antecedent whereas petitioner no.2 is having criminal antecedent of two cases and he is on bail in both the cases.

5. Learned APP opposes the submissions made on behalf of the petitioners. Learned APP submits that there is specific allegation against the petitioners is that they caused injuries to the informant and his other family members with deadly weapons.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further



considering the relationship between the parties and also considering the background of land dispute coupled with 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 Additional Chief Judicial Magistrate-I, Saran at Chapra/ court concerned in connection with Taraiya P.S. Case No. 40 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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