

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62208 of 2024

Arising Out of PS. Case No.-406 Year-2021 Thana- KESARIA District- East Champaran

1. Bitu singh @ Vijay kumar @ Vijay Kumar Singh Son of Satendra Singh Resident of village- Ramgarhwa, P.S.- Kesariya, District- East Champaran
2. Satendra Singh Son of Late Vishwanath Singh Resident of village- Ramgarhwa, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Adv.
For the Opposite Party/s :	Mr. Rabindra Kumar, APP.
	Mr. Karandeep Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 354(B), 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant and his family members brutally due to which they sustained injuries. Petitioner no.1 assaulted the informant's father by means of *farsa* causing head injury. Petitioner no.2 along with one Manogi Singh assaulted the informant and his brother by means of iron rod.



4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Both the parties are neighbours. There is admitted land dispute and case and counter case between the parties. It is further submitted that the injuries sustained by the injured are simple in nature except one injury regarding which CT Scan report is not available. It is further submitted that similarly situated co-accused has been enlarged on bail by this court vide order dated 19.01.2024 passed in Cr. Misc. No. 49633 of 2023. Petitioners have two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused has been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kesariya P.S. Case No. 406 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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