

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69055 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- KESARIA District- East Champaran

1. Mohan Kumar Singh @ Mohan Singh Son of Asharfi Singh Resident of Village - Darmiyan, P.S. - Kesaiya, District - East Champaran, Bihar
2. Satish Kumar Singh @ Satish Singh Son of Aashnarayan Singh Resident of Village - Darmiyan, P.S. - Kesaiya, District - East Champaran, Bihar
3. Asharfi Singh Son of Late Ramanandi Singh Resident of Village - Darmiyan, P.S. - Kesaiya, District - East Champaran, Bihar

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Pratik Kumar, Advocate
For the State	:	Mr. Dinesh Singh, APP
For the Informant	:	Mr. Shanti Bhushan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioners and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 384, 379 and 504 read with Section 34 of the Indian Penal Code.

3. All the F.I.R. named accused including these petitioners in furtherance of their common intention are said to have assaulted the informant and his nephew with iron rod, Daab and Tenguli.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to personal grudge and



vengeance. Both the parties are agnates and there is admitted land dispute between them. Both sides have filed cases against each other. Petitioner no.1 has four criminal antecedents, petitioner no.2 has no criminal antecedent and petitioner no.3. has one criminal antecedent.

5. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that both the parties are agnates, there is land dispute them and the case and counter case, 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.168 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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