

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67122 of 2023

Arising Out of PS. Case No.-46 Year-2020 Thana- DAUDNAGAR District- Aurangabad

1. LALAN RAM son of Late Pachan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar
2. Chunu Ram son of Chayan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar
3. Shuryadayal Ram son of Lalan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar
4. Din Dayal Ram son of Lalan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar
5. Punam Devi wife of Lalan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar
6. Malti Devi wif of Chayan Ram Village- Arai Ps- Daudnagar Dist- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 447, 323, 504, 308/34 of the IPC.

3. Allegedly, the F.I.R. named accused persons including the petitioners are said to have indiscriminately assaulted the informant and his family by means of lathi.

4. It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to the admitted land dispute. There is a case and counter-case between the parties. A free fight took place between the parties, in which both sides have sustained injury. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is allegation against the petitioners to assault the informant's side.

6. Considering the facts and circumstances of the case and having gone through the order dated 18.10.2023, it is apparent that the supplementary injury report was called from the court below but the same has not been sent by the concerned. In the impugned order, it is mentioned that on perusal of injury report it appears that injured Pappu Kumar sustained lacerated wound on scalp at occipital area and lacerated wound on scalp at vertex, injured Dhura Ram received painful swelling on left arm and left thigh and abrasion on scalp while injured Chiku Kumar sustained painful swelling on right hand and right thigh.

7. Under the aforesaid circumstances, since no supplementary injury report has been made available till date, 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 court below where the case is pending/Successor Court in connection with Daudnagar P.S. Case No.46/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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