

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65691 of 2024

Arising Out of PS. Case No.-385 Year-2024 Thana- AMARPUR District- Banka

1. Panchu Panjiyara Son of Late Suruji Panjiyara Resident of Village -English More, P.S -Amarpur, District -Banka
2. Indu Devi Wife of Panchu Panjiyara Resident of Village -English More, P.S -Amarpur, District -Banka
3. Rahul Panjiyara Son of Panchu Panjiyara Resident of Village -English More, P.S -Amarpur, District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Brij Nandan Prasad, learned counsel for the petitioners as well as Mr. Lalan Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 385 of 2024, F.I.R. dated 15.06.2024 for the offences punishable under Sections 341, 323, 308, 354, 379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners armed with lathi, danda and iron rod have assaulted the informant and his family members. It is further alleged that the co-accused, Chinti Devi committed theft of silver chain of the informant's wife.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. and due to admitted land dispute between the parties, the present occurrence has taken place. He further submits that it appears from the F.I.R. that there is allegation against these petitioners that they have assaulted the informant and his family members due to which the informant side has received injury but from perusal of the injury report of the injured person it appears that the injuries are simple in nature caused by hard and blunt substance. He further submits that there is case and counter case between the parties.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Banka in connection with



Amarpur P.S. Case No. 385 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
- ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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