

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67528 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- BIRPUR District- Supaul

- 1 . Siya Ram Kamait S/o Ramjee Kamait R/o Vill- Sitapur, Ward no 13, PS- Birpur, Dist- Supaul
2. Dhirendra Kamait S/o Ramjee Kamait R/o Vill- Sitapur, Ward no 13, PS- Birpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioners and
the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148 , 149, 447, 504, 109, 323 , 324, 341 , 354(b) and 307 of the Indian Penal Code .

3 . As per prosecution case , on 16.11.2023 about 2.30 PM, when informant was doing some construction work on the land in question , in the meantime , all F.I.R., named accused persons including these petitioners objected



to the construction of a house in disputed land, due to which a quarrel took place between both parties as a result of which informant and others sustained injuries.

4. It is submitted on behalf of the petitioners that these petitioners are innocent and have falsely been implicated in this case . Specific accusation of assault is against co-accused persons and so far as these petitioners are concerned, there is general and omnibus allegation of assault against them and no specific overt act is alleged against them. Dispute over land led to simple occurrence of maarpeet between both the parties in which both sides sustained injuries. Case and counter case .

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged 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 Additional Chief Judicial Magistrate Birpur in connection with Birpur



P.S. Case No. 373 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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