

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69019 of 2023

Arising Out of PS. Case No.-420 Year-2023 Thana- KOILWAR District- Bhojpur

1. Soni Kumar @ Bachchu Kumar Singh Son Of Jay Ram Singh Village Purana Haripur, P.S.-KOILWAR, District-Bhojpur
2. Roshan Kumar Son Of Jay Ram Singh Village Purana Haripur, P.S.-KOILWAR, District-Bhojpur
3. Pintu Kumar Singh@Pintu Kumar Son Of Jay Ram Singh Village Purana Haripur, P.S.-KOILWAR, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 27-02-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners apprehend their arrest, in connection with Koilwar P.S. Case No. 420 of 2023 dated 09.07.2023, registered for the offences punishable under Sections 147, 148, 323, 504, 506, 307 and 379 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that on 09.07.2023 at about 7.30 am, the petitioners were ploughing the disputed land and on being prohibited by the informant from ploughing the said land, accused persons started



assaulting the informant and his family member with iron rod and *lathi* and also snatched the ear ring and gold chain.

4. Ld. counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that there is land dispute between both sides. He further submits that on account of land dispute, scuffle took place between the parties in which both sides got minor injuries and case and counter case filed by both sides.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

8. Considering the case and counter case and minor injuries on both sides, this application is allowed, directing the petitioners, above named, to be enlarged on bail in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like



amount each to the satisfaction of Ld. Chief Judicial Magistrate, Bhojpur at Ara, in connection with Koilwar P.S. Case No. 420 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have given wrong statement regarding their criminal antecedents, Ld. court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

9. Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J.)

Ravishankar/
Shoaib

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