

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74460 of 2024

Arising Out of PS. Case No.-193 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Umesh Singh S/o Ram Bahadur Singh R/o Brahmpura, P.s. - Mohiuddin Nagar, Samastipur, Bihar
 2. Nitish Kumar Singh @ Nitish Kumar S/o Mithilesh Singh R/o Brahmpura, P.s. - Mohiuddin Nagar, Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.
For the State : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 307, 323, 324, 341, 354, 447, 448, 504, 506 of the IPC.

3. Allegedly, the petitioners are said to have attacked the wife of the informant with intention to kill her and hurled abuses at her. Petitioner no.2 attacked the wife of the informant with iron rod on her head and petitioner no.1 directed the co-accused persons to strangulate the family of the informant.

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 grudge. There is land dispute between the parties. It is further submitted that after investigation, police has filed final form but the Court below differing with the final form, took cognizance u/s 307, 504, 506/34 of the IPC. The injury sustained was found simple in nature, which is clear from the impugned order. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the injuries were found simple in nature, 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 Mohiuddin Nagar P.S. Case No.193 of 2020 (GR No.2478 of 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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