

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73802 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- KURTHA District- Jehanabad

1. Jitendra Dom Son Of Peyarchandra Dom R/O Vill - Dharmpur Pondil, P.S. - Kurtha (OP), Dsitt. - Arwal
2. Shatrudhan Dom Son Of Peyarchandra Dom R/O Vill - Dharmpur Pondil, P.S. - Kurtha (OP), Dsitt. - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Singh

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Kurtha P.S. Case No. 149 of 2022 dated 29.05.2022 registered for the offences punishable under Sections 147, 148, 149, 452, 324, 325, 307 and 504 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons holding deadly weapons entered the house



of the informant and the co-accused Rupa Dom assaulted on the leg of the informant with axe causing injury. Thereafter, the petitioner No. 2 assaulted the informant with iron rod causing injury on his elbow of left hand and the co-accused Jyoti Devi assaulted the informant with lathi, causing injury. On seeing nearby people, they fled away.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case on account of land dispute. There is case and counter case between both the parties. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. Learned counsel has submitted that the informant sustained grievous injury which is on non-vital part of the body whereas the other two injuries are simple in nature.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that there is specific allegation against the petitioner no. 2 of assaulting the informant.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Arwal, Jehanabad in connection with Kurtha P.S. Case No. 149 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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