

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73703 of 2023

Arising Out of PS. Case No.-754 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. Raj Kumar Patel @ Raj Kumar Raut S/O Late Rekha Raut Residents Of Village-Banjariya, Babu Tola, Ward No.04, P.S.-BANJARIA, District-East Champaran
 2. Sagar Kumar @ Vicky Kumar S/O Raj Kumar Patel @ Raj Kumar Raut Residents Of Village-Banjariya, Babu Tola, Ward No.04, P.S.-BANJARIA, District-East Champaran
 3. Ajay Kumar Patel @ Ajay Kumar S/O Late Rekha Raut Residents Of Village-Banjariya, Babu Tola, Ward No.04, P.S.-BANJARIA, District-East Champaran
 4. Nishant Kumar S/O Raj Kumar Raut @ Raj Kumar Patel Residents Of Village-Banjariya, Babu Tola, Ward No.04, P.S.-BANJARIA, District-East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2024 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 a case in connection with Turkauliya (Banjariya) P.S. Case No. 754 of 2023 dated 05.07.2023 registered for the offences



punishable u/ss 341, 323, 307, 354B and 504 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have entered the house of the informant and started digging the land. On being objected, they started assaulting her and tore her cloths. The co-accused Vicky Kumar assaulted her with iron rod on her head due to that she got injured severely, When her family members came to rescue, all the accused persons also assaulted them.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. As per injury report, the injury is stated to be simple in nature. There was no intention to kill the informant. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 754 of 2023, 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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