

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77187 of 2023

Arising Out of PS. Case No.-359 Year-2023 Thana- GHOSI District- Jehanabad

1. SUSHILA DEVI @ KAUSHALYA DEVI W/o Shankar Pandit R/O VILLAGE P.O SARISTABAD P.S GHOSHI (OKARI) DISTRICT JEHANABAD
2. Ajeet Pandit @ Ajeet Kumar Son of Shankar Pandit R/O VILLAGE P.O SARISTABAD P.S GHOSHI (OKARI) DISTRICT JEHANABAD
3. Jitendra Pandit @ Jeetendra Kumar Son of Shankar Pandit R/O VILLAGE P.O SARISTABAD P.S GHOSHI (OKARI) DISTRICT JEHANABAD
4. Raja Pandit @ Raja Kumar Son of Yogendra Pandit R/O VILLAGE P.O SARISTABAD P.S GHOSHI (OKARI) DISTRICT JEHANABAD
5. Dharmendra Pandit @ Dharmendra Kumar Son of Dinesh Pandit R/O VILLAGE P.O SARISTABAD P.S GHOSHI (OKARI) DISTRICT JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Ghoshi (Okari) P.S. Case No. 359 of 2023 registered on 31.05.2023 for the offences under Sections 307, 341, 323, 379, 504, 506 and 34 of the of the Indian Penal Code.

3. As per the prosecution case, the petitioners and other co-accused persons assaulted the wife of the informant



with lathi and danda causing fracture of her head and also of arms.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and the allegations in the FIR are false and baseless. There is land dispute between the parties with regard to 3 decimal of land. A title suit bearing T.S. No. 25 of 2022 has been filed by co-accused Ramchandra Pandit against the informant which is pending adjudication in the Court of learned Munsif, Jehanabad. For the same occurrence, petitioner's side has lodged Ghoshi (Okari) P.S. Case No. 360 of 2023 against the informant side and as a counter blast the present FIR has been lodged by the informant. The petitioners have no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the non-specific allegation against the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds



of Rs. 5,000/- (Rupees Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Jehanabad/concerned court in connection with Ghoshi (Okari) P.S. Case No. 359 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Prakash/-

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