

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83017 of 2023

Arising Out of PS. Case No.-23 Year-2022 Thana- PATAHI District- East Champaran

1. LALBABU SINGH SON OF LATE YOGENDRA SINGH R/O OF VILLAGE- DUMARI GOVIND, P.S.- PATAHI, DISTRICT- EAST CHAMPARAN
2. MANISH KUMAR @ PURUSHOTTAM KUMAR SON OF LAL BABU SINGH R/O OF VILLAGE- DUMARI GOVIND , P.S.- PATAHI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Patahi P.S. Case No. 23 of 2022, dated 02.02.2022, instituted for the offence punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 24.01.2022 at about 10:00 am, the informant demanded Rs. 42,000/- from Lalbabu Singh with regard to his semal tree then Lalbabu Singh along with Manish Kumar, Vijay Kumar, Lalan Singh, Ram Bharosh Singh assaulted the informant by means of fists and slaps and when the wife and children came to save



him, they were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioners and informant are agnates. There is serious dispute between the parties due to which there is a case and counter case. Patahi P.S. Case No. 24 of 2022 filed by petitioner no. 1 namely, Lalbabu Singh against the informant and his family members. It is further stated that there is dispute relating to partition of joint family properties due to which the said incident has occurred. It is further submitted that as per the injury report, the injury sustained by the informant is found to be simple in nature caused by hard and blunt substance. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Patahi P.S. Case No. 23 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, East Champaran at Motihari, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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