

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85759 of 2023

Arising Out of PS. Case No.-448 Year-2022 Thana- ATRI District- Gaya

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1. Ishwar Chaudhary, Son of Sri Biltu Chaudhary, R/o village - Rangpur, P.S. - Atri, Distt. - Gaya
 2. Biltu Chaudhary, Son of Late Hari Chaudhary, R/o village - Rangpur, P.S. - Atri, Distt. - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Atri P.S. Case No. 448 of 2022 registered for the alleged offences under Sections 341, 323, 326, 308, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons who were variously armed assaulted the informant and his family members causing a number of injuries to the victims. They also took away Rs. 5,000/- from the pocket of the informant.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. The land dispute is admitted in the FIR. The informant and the petitioners are co-sharers. Due to land dispute, some altercation and fight took place between two groups and three persons got injured and most of them have suffered simple injury. The grievous injury has been found on the father of the informant, but the author of the said injury is the co-accused Mithun Kumar and not these petitioners against whom there is general allegation and the injury reports of victims or these petitioners show simple injuries. The petitioners have no criminal history.

5. Learned APP opposes the submissions 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 background of land dispute and non-serious nature of injuries of the victims and also considering the possibility of false accusation, 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 bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Gaya, in connection with Atri P.S. Case No. 448 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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