

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82371 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- HALSI District- Lakhisarai

1. Jairam Bind, S/o Bigal Bind @ Vigal Bind,
 2. Bhopali Bind, S/o Narayan Bind
- Both are residents of village- Bachhiya Bigha, P.S- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Halsi P.S. Case No. 218 of 2024, registered for the alleged offences under Sections 127(1), 118, 109, 303(2), 3 (5) of BNS, 2023.

3. As per prosecution case, when the informant went for watering of his land, he saw someone detaching his motor and when the informant raised alarm, he was stabbed with knife and when the informant tried to save himself by running away from the place of occurrence, he was caught hold by the petitioners and co-accused, who again stabbed him and snatched his gold chain.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The allegations are completely false and concocted. The FIR has been registered after delay of two days for which there is no explanation. It is not believable that the informant was stabbed and was seriously injured and still he managed to record his written report with the police narrating the whole occurrence. During investigation, it has come to the notice that land of the father of the petitioner no. 2 is adjacent to the land of the informant and there has been dispute over shifting of ridges. Due to this land dispute, the informant has falsely implicated the petitioners and co-accused Aju Bind, who is agnate of the petitioner no.2. Even injury report of the informant is suspect and appears to be a procured one. The injury report shows superficial nature of injuries, though it is stated to be grievous. Only one of the injuries is penetrating wound, though there is allegation of stabbing on more than one occasion. The petitioner is in custody since 30.08.2024 and charge sheet has been submitted.

5. The learned A.P.P. opposes the submission made on behalf of the petitioners. The learned APP submits that the petitioners are having criminal antecedents.

6. Having regard to the facts and circumstances and



submissions made hereinabove and considering the background of land dispute and further considering not so serious nature of injuries and also considering the submission of charge sheet and the period of custody of the petitioners, the petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Lakhisarai, in connection with Halsi P.S. Case No. 218 of 2024, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

