

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.351 of 2024

Arising Out of PS. Case No.-515 Year-2023 Thana- BIHTA District- Patna

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1. BACHHA KUMAR @ BACHHA BABU SHARMA @ BACHCHA KUMAR SON OF LATE DHARAMNATH SINGH R/O VILLAGE- RAMPUR ISMAEL, P.S.- BIHTA, DIST.- PATNA
 2. SHAHSHIKANT KUMAR @ SHASHIKANT ISNGH SON OF LATE DHARAMNATH SINGH R/O VILLAGE- RAMPUR ISMAEL, P.S.- BIHTA, DIST.- PATNA
 3. MANOJ KUMAR SON OF MITHILESH SINGH R/O VILLAGE- RAMPUR ISMAEL, P.S.- BIHTA, DIST.- PATNA
 4. RAMJI KUMAR SON OF MITHILESH SINGH R/O VILLAGE- RAMPUR ISMAEL, P.S.- BIHTA, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.J.N. Thakur

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Bihta P.S. Case No. 515 of 2023, registered for the offences punishable under Sections 341, 342, 323, 324, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Allegedly, when the father of the informant was looking after his mango orchard, the seven named accused persons including the petitioners came there and when he started shouting,



the accused persons badly assaulted him. Co-accused Satyam Kumar assaulted him with *farsa* on his hand. The petitioner Bachha Kumar and Bipul Kumar also assaulted him. Further, petitioners nos. 2, 3 and 4 assaulted the son of the informant with iron rod and *lathi*. The accused persons also snatched golden chain from the neck of Rahul Kumar, the son of the informant.

4. The learned counsel for the petitioner has submitted that they are the persons of clean antecedents. Both the parties are agnates and there is dispute between them. He has submitted further that the members of defense side have also become badly injured and they have lodged FIR prior to the present case, against the members of prosecution side.

5. On the other hand, the learned APP Sri J.N. Thakur has opposed the prayer for bail and submitted that there is specific allegation against the petitioners nos. 2, 3 and 4 that they assaulted the son of the informant and one of injuries is on the hand of Rahul Kumar which is grievous in nature.

6. The petitioners are the persons of clean antecedents and the members of petitioners' side have also suffered injuries at the hands of the members of prosecution side.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Danapur, Patna in connection with Bihta P.S. Case No. 515 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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