

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.320 of 2024

Arising Out of PS. Case No.-391 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Amit Poddar @ Amit Kumar Poddar Son of Sachit Poddar Resident of Balwahat Bazar, Ward no.- 08, P.S.- Simri Bakhtiyarpur (Balwahat O.P.), District - Saharsa.
 2. Krishna Nandan Poddar @ Krishna Chandan Poddar Son of Sachit Poddar Resident of Balwahat Bazar, Ward no.- 08, P.S.- Simri Bakhtiyarpur (Balwahat O.P.), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**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 Bakhtiyarpur P.S. Case No. 391 of 2023, registered for the offences punishable under Sections 147, 148, 149, 324, 307, 379, 354, 504, 506 of the Indian Penal Code.

3. As per allegation, co-accused Suchit Poddar came to the shop of the informant and asked him as to why was he not vacating his land and started abusing him. On protest, he inflicted knife blow upon the informant. When the family members of the informant came to rescue him, the petitioners along with other accused persons came there and assaulted them with rod, khanti, knife, etc. The petitioner



No. 1 inflicted knife blows on Suraj Kumar and Sonu Kumar.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated. They are the persons of clean antecedents. The FIR shows itself that there is land dispute between the parties. The specific allegation against the petitioner No. 1 is that he inflicted knife blows on Suraj Kumar and Sonu Kumar and the allegation against the petitioner no. 2 is general and omnibus. He has further submitted that the injuries on the persons of Suraj Kumar and Sonu Kumar are simple in nature. There is case and counter case.

5. On the other hand, learned APP, Shri Shailendra Kumar has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, especially the clean antecedents of the petitioners, let them, 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 Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P.S. Case No. 391 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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