

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86178 of 2023

Arising Out of PS. Case No.-432 Year-2023 Thana- HISUWA District- Nawada

1. Gorelal Singh Son Of Late Ashok Kumar Resident Of Village - Bajra, Ps-Hisua, Distt- Nawada
2. Krishna Murari Son Of Late Ashok Kumar Resident Of Village - Bajra, Ps-Hisua, Distt- Nawada
3. Virendra Singh Son Of Late Shyamli Singh Resident Of Village - Bajra, Ps-Hisua, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Harendra Prasad, aPP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Hisua PS Case No.432 of 2023 dated 11-08-2023, instituted for the offence punishable under Sections 341,323,324,325 and 307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that as per the order of Circle Inspector, Hisua the police officer has been appointed for measurement work. After measurement, father of the informant was sitting there and the informant was near his shed. It is alleged that seven accused persons variously armed



with hockey stick, *lathi* and axe surrounded the father of the informant and assaulted him, causing leg injury.

4. Learned counsel for the petitioners submitted that petitioners have been falsely implicated in this case. There is specific allegation against one of the co-accused persons, namely, Gunjan Kumar, who assaulted the father of the informant by means of an axe on his leg. It is submitted that both the parties are agnates. Referring to the injury report of the father of the informant, which is annexed as Annexure P-3, it is submitted that except leg injury, all other injuries are simple in nature and there is no specific allegation against these petitioners. It is further submitted that there is civil dispute between the parties bearing Title Suit No. 417 of 2022, which is pending in the Court of learned Sub Judge VI. The petitioners have no criminal antecedent, as per disclosure made in para 3 of the bail petition.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on 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 ACJM VI,



Nawada, in Hisua PS Case No. 432 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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