

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8752 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- PHULWARIA District- Begusarai

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1. Alok Anand @ Aalok Anand, Son of Late Braj Kishor Prasad Singh @ Late Braj Kishor Singh,
 2. Amit Anand, Son of Late Braj Kishor Prasad Singh @ Late Braj Kishor Singh.
Both at present residents of Village-Shokahara-01, Ward No. 07, P.S.- Phulwaria, Distt.- Begusarai, permanent resident of Village- Pahsara, P.S.- Nowkothi, Distt.- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare, APP
For the Informant :	Mr. Ranjan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing on behalf of informant.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Phulwaria P.S. Case No. 4 of 2024 registered under Sections 323, 341, 384, 379, 307, 504 and 506 read with 34 of the Indian Penal Code.

3. Allegation against the petitioner is to assault the informant and his other family members by using *lathi*, rod,



etc. causing head and bodily injuries, where assault was alleged to be made with intention to cause their death. The occurrence is alleged to be arising out of land dispute.

4. It is submitted by learned counsel appearing for petitioners that upon investigation, the case was not found true against the petitioners under Section 307 of the IPC and, thereafter, a notice was also issued under Section 41-A of the Code of Criminal Procedure (in short 'CrPC') but, the same could not be served upon the petitioners. It is submitted that upon medical examination, injury upon injured found simple in nature, which negates *prima facie* intention to cause death or to suggest on its face that same is in ordinary course of nature may likely to cause death of injured/informant.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer for bail of the petitioners submitted that the petitioners specifically alleged to assault the informant and others.

7. In view of aforesaid factual submissions and by taking note of nature of injuries, which appeared simple, coupled with the fact that in course of investigation, the case



was not found true under Section 307 of the IPC against the petitioners, accordingly, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Phulwaria P.S. Case No.4 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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