

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64887 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- MINAPUR District- Muzaffarpur

MAUJE PRASAD @ MAUJE LAL PRASAD S/O LATE MUNSHI LAL PRASAD R/O VILLAGE- FULWARIYA, PS- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Krishna Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Minapur P.S. Case No. 211 of 2023 for the offence punishable under sections 147, 148, 149, 341, 323, 325 and 307 of the Indian Penal Code lodged on 27.05.2023 by the informant, Jodhan Sahni.

3. As per the prosecution story, the informant has alleged that due to land dispute, some obstacle was made. As the Police arrived, the accused retreated but once the Police returned, the accused persons armed variously came and allegation against the petitioner, Mauje Prasad @ Maujelal Prasad is of assaulting Nagendra Sahni on his head by rod, causing serious injury. The further allegation is against Kishuni



Das @ Krishnadeo Prasad and Dhiraj Kumar of injuring the brother of the informant on his body. As the father of the informant came, they also assaulted him, causing fracture. The allegation of assault as also snatching of money is against the accused persons too. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that there was no intention to cause injury, scuffle took place in which, the injury was accidentally happened to the other side, he has absolutely no criminal antecedent and is in custody since 18.06.2024 (paragraph-14 of the petition). Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 25,000/- towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned counsel for the informant, Mr. Krishna Kant Singh opposes the prayer submitting that the injury inflicted by him was found to be grievous in nature and the injured was shifted from Minapur Primary Health Center to Sri



Krishna Medical College and Hospital, Muzaffarpur for better treatment and again to the private hospital.

6. Considering the submissions of the parties as also the facts on record, though the injury has been found to be grievous in nature, this Court is at pains to record that for a mere land dispute, the people resort to such criminal acts in which a person has to suffer and has to rushed to different hospitals for his treatment but the fact remains that this petitioner has no criminal antecedent and is in custody since 18.06.2024 and an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 25,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East, Muzaffarpur, in connection with Minapur P.S. Case No. 211 of 2023 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

