

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83618 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- AMARPUR District- Banka

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1. Lalit Narayan Gandhi Son of Late Sugdeo Narayan Gandhi Resident of Salempur, P.S.- Amarpur, Dist.- Banka
 2. Nilesh Gandhi Son of Lalit Naryan Gandhi Resident of Salempur, P.S.- Amarpur, Dist.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2025 1. Heard the learned counsel for the petitioners and the learned APP for the State.

2. The petitioners seek bail in a case registered for the offences under Sections 341, 323, 325, 354, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are in custody since 20.09.2024 and are persons with clean antecedent and the informant alleges that on 29.03.2024 at about 9.00 A.M., all the accused persons including the petitioners entered the house of the informant and started abusing. On protest, Ritesh assaulted on the head of the informant by *khanti* causing injury, when informant's sister in-



law Usha and his father Sikandar intervened to rescue him, it is alleged that petitioners assaulted them by sickle. Further, Neelam committed theft of gold ornaments of Usha Devi and petitioner no.1 (Lalit Narayan Gandhi) disrobed Usha Devi and also demolished the boundary wall of the informant's house and committed theft of goods from his shop.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that petitioners and the informant are co-villagers and are having land dispute. It is also submitted that Amarapur P. S. Case No.214 of 2024 has been instituted by the side of the petitioners against the informant. It is next submitted that no doubt, one injury of the injured alleged to have been assaulted by the petitioners is opined to be grievous in nature, but then, injury has been inflicted on the hand. It is also submitted that petitioners are not criminal and are in custody since 20.09.2024 and charge-sheet has been submitted.

5. The learned A.P.P. opposes the bail application.

6. Considering the facts afore-stated, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P. S. Case No.215 of 2024.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioners after their release are trying to delay the trial in any manner, the learned trial Court shall forthwith cancel their bail bonds after recording reasons and shall take all coercive steps to ensure that petitioners are behind bar.

(Satyavrat Verma, J)

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