

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38120 of 2018**

Arising Out of PS.Case No. -149 Year- 2018 Thana -FATUHA District- PATNA

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1. Rakesh Ram @ Rakesh, Son of Late Bijender Ram.
  2. Chunnu Ram @ Chunnu, Son of Late Bijender Ram,
  3. Fuggu Ram @ Fuggu, Son of Late Ganauri Ram,
  4. Funnu Ram @ Punnu @ Funnu, Son of Late Ganauri Ram, All residence of Village Daulatpur Varia Khurd, Makdumpur, Kodariya, Police Station- Fatuha, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 06-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

The prosecution case as per the written report of Dinesh Ram dated 17.03.2018 submitted to the Station House Officer, Fatuha P.S. is to the effect that on 17.03.2018 at 2.00 P.M. the accused persons assaulted the informant with lathi, danda and iron rod. On alarm being raised, the daughter-in-law of the informant, Saroj Devi and grandson of the informant,



Mantu Kumar came to rescue then they were also assaulted and when the villagers came then the accused persons escaped from the scene.

It is submitted by learned counsel for the petitioners that the injury has been found superficial simple in nature. There is a counter version of the occurrence being Complaint Case No. 264 of 2018. The FIR has been registered on 17.03.2018 at 4.45 P.M. but it reached to the learned Court below on 20.03.2018 which suggests that the FIR has been registered by antedating. It is further submitted that in the background of land dispute, the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the accusation is specific against the petitioners in the FIR.

Considering the accusation in the background of land dispute between the parties, injury being found simple in nature coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail



bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna City in connection with Fatuha P.S. Case No. 149 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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