

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58042 of 2018

Arising Out of PS.Case No. -195 Year- 2018 Thana -GOGRI District- KHAGARIA

- =====
1. Shankar Pandit,
 2. Manish Pandit Both Sons of Mohan Pandit, R/o Vill.- Baurna Navtoliya,
P.S.- Gogari, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-09-2018

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 341, 323, 307, 448, 504, 506, 354B and 379/34 of the Indian Penal Code.

The prosecution case got initiated with the written report of Rubi Kumari dated 09.06.2018, submitted to the Station House Officer, Gogari P.S., to the effect that on 08.06.2018 at 6.00 A.M. the husband of the informant was plucking Mango, when three accused persons including the petitioners came and protested. Thereafter, the accused persons



entered into the house and on protest being made they started abusing and then petitioner no. 2, Manish Pandit tore the sari of the informant and snatched her earring and co-accused Mohan Pandit assaulted with lathi on the head of the informant, causing cut injury. On alarm being raised the accused persons escaped from the scene.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. There is no accusation of causing assault by the petitioners. However, the injury has been found simple in nature, as gets reflected from the impugned order of learned Sessions Judge. Moreover, a case has been lodged by the petitioners' side, at earlier point of time. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the genesis of the occurrence and the accusation of assault has not been specifically levelled against the petitioners, 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 Chief Judicial Magistrate, Khagaria in connection with Gogari P.S. Case No. 195 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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