

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17259 of 2019**

Arising Out of PS. Case No.-131 Year-2018 Thana- CHANDAN District- Banka \*

1. Ganesh Pandit, Son of Late Ghanshyam Pandit Resident of Village - Laharniya, P.S.- Chandan, Distt.- Banka.
2. Naresh Pandit Son of Ganesh Pandit Resident of Village - Laharniya, P.S.- Chandan, Distt.- Banka.
3. Dilesh Pandit Son of Ganesh Pandit Resident of Village - Laharniya, P.S.- Chandan, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee  
For the Opposite Party/s : Mr.Mohammed Arif

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

2      26-03-2019                      Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the IPC.

The prosecution case, as per the written report of Horil Pandit, dated 13.08.2018, submitted to the Station House Officer, Chandan (Anandpur) Police Station, is to the effect that on the same day the informant was repairing the wall of his house, which was protested by all F.I.R. named accused persons including the petitioners, thereafter all the accused persons



assaulted the informant with axe, danda and Bhala as a result the informant became unconscious and when the brother of the informant came to rescue him then he was also assaulted by the accused persons.

It is submitted by learned counsel for the petitioners that accusation of assault against the petitioners is omnibus and general. The accusation has been levelled against the petitioners in the background of land dispute. Moreover, the injuries of all the injured persons have been found superficial simple in nature. There is counter version of occurrence also, being Chandan (Anandpur) P.S. Case No. 132 of 2018. A statement has been made in paragraph no.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 accusation against the petitioners being omnibus and general and the fact the injuries of all the injured have been found superficial simple in nature, coupled with the statement made in paragraph no.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/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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan (Anandpur) P.S. Case No. 131 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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