

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25511 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- KHAJANCHI HAT District- Purnia

1. Ram Prasad Ghosh Son of Rakhal Ghosh Resident of Village - Satsangh Bihar, P.S.- Maranga, District - Purnea
2. Saurabh Kumar Singh @ Sourabh Singh Son of Sant Kumar Singh
3. Manohar Kumar Das @ Vicky Kumar @ Vicky Das Son of Late Ganesh Lal Das
Both are residents of Village - Mahboob Khan Tola, P.S.- K. Hat, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-08-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection with K. Hat (Maranga) P.S. Case No. 19 of 2019, registered under Sections 147, 148, 149, 341, 323, 325, 354, 448, 379, 504, 506 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners assaulted the informant and his family members.

Learned counsel for the petitioners submits that both the parties belongs to same village and there is dispute pertaining to land between them. He further submits that the



petitioner had lodged case under Section 107 Cr.P.C. vide Case No. 1414 of 2018 against the informant and other person in retaliation, the present occurrence has taken place for which there is case and counter case between the parties inasmuch as the petitioner has also lodged K. Hat (Maranga) P.S. Case No. 20 of 2019. He further submits that similarly situated accused persons have also been granted bail on 30.07.2019 by this Court in Cr. Misc. No. 27637 of 2019 and injury caused to the informant and others are simple in nature, it would be evident from Annexure 4 series of supplementary affidavit filed by the petitioner.

On the other hand, learned counsel for the O.P. No.2 vehemently opposed the prayer for bail and submits that petitioners have caused injury to the informant and others and as such they do not deserves the privilege of anticipatory bail.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties belong to same village and there is case and counter case and earlier also a case under Section 107 Cr.P.C. was initiated at the behest of the petitioner and the injury caused to the persons are simple in nature, I am inclined to grant anticipatory bail to the petitioners.



This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Maranga) P.S. Case No. 19 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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