

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41391 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- UCHKAGAON District- Gopalganj

1. ANUBHAV KUMAR @ ANUBHAV KUMAR PANDIT, S/o Chuman Pandit
2. Chuman Pandit S/o Nakchhed Pandit
R/o village- Baleshra, P.S.- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Yadav

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-07-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Uchkagaon P.S.Case No. 116 of 2019 registered under Sections 308,323,341,379,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons, assaulted the informant with *lathi*, iron rod etc. due to a dispute relating to not allowing the son of the informant to play cricket.

Learned counsel for the petitioners submits that allegation against petitioners are general and omnibus and there is no specific allegation of assault against them to the informant and his family members. Learned counsel further submits that there



is no injury inasmuch as occurrence has taken place on 12.05.2019 and FIR has been lodged after delay of one day i.e., on 13.05.2019 and both parties i.e., prosecution side as well as defence side are residing in the same locality and the dispute has arisen due to playing cricket.

After having heard learned counsel for the parties and taking into consideration the fact that allegation is general and omnibus and there is no injury report available in the case diary as recorded by the learned court below in the impugned order, I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 116 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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