

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45590 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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1. Sikandar, Son of Lutawan Chauhan @ Lutawan Mahto Resident of village-
Salepur, P.S. Bishambharpur, District- Gopalganj.
 2. Lal Badan, Son of Lutawan Chauhan @ Lutawan Mahto Resident of village-
Salepur, P.S. Bishambharpur, District- Gopalganj.
 3. Tulasi, Son of Lutawan Chauhan @ Lutawan Mahto Resident of village-
Salepur, P.S. Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Bishambharpur P.S. Case No.11 of 2019 for the offence punishable
under Sections 448, 341, 323, 324, 307, 504 and 506/34 of the Indian
Penal Code.

The allegation against the petitioners is that petitioners
along with other accused persons assaulted the informant and his
family members with danda and sharp cutting weapon causing them
injury.

Learned counsel for the petitioners submits that the parties
are neighbours and there is dispute regarding passage between them.
He further submits that all injuries caused to the six persons are



simple in nature, except one injury caused to Durgawati Devi is said to be grievous on the right shoulder. Learned counsel for the petitioners further submits that the injuries are simple in nature and not on the vital part of the body and in view of the passage dispute, petitioners may be released on anticipatory bail.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the parties are neighbours and there appears to be dispute of passage between them and injuries caused to informant and his family members are simple in nature and non-vital part of the body, as such, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, all the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Gopalganj, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

