

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46832 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

1. Salahuddin, Son of Md. Kirani, Resident of Village- Katkaulia, P.S.- Buxar Industrial, Churamanpur, District- Buxar.
2. Tunnu @ Abdul Khalid, Son of Md. Ayub, Resident of Village- Katkaulia, Ward No.4, P.S.- Buxar Industrial, Churamanpur, District- Buxar
3. Tudi @ Sahabjada, Son of Late Md. Ayub, Resident of Village- Katkaulia, Ward No.4, P.S.- Buxar Industrial, Churamanpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Buxar (Industrial Area) P.S. Case No.80 of 2019, G.R. No.1386 of 2019, for the offence punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that petitioners assaulted the brother of the informant by means of lathi during altercation which has taken place between the children of the informant and the petitioners.

Learned counsel for the petitioners submits that both the parties are neighbours and the incident has taken place on trivial issue during the play between children of the informant as well as



the petitioners. Learned counsel further submits that from perusal of the case diary at para 20, it would be evident that injury caused to the brother of the informant is simple in nature except injury No.1 and 2 and opinion of which has been reserved by the doctor. Learned counsel further submits that counter case has also been lodged by the side of the petitioners having Complaint Case No.539 of 2019 for the same incident.

Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are neighbours and the incident has taken place on trivial issue, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today 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 Chief Judicial Magistrate, Buxar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

