

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50159 of 2019

Arising Out of PS. Case No.-230 Year-2019 Thana- GRIYAK District- Nalanda

1. RAMASHIS MALI Son of Late Debki Malakar Resident of Village- Durgapur, P.S.- Giriyak, District- Nalanda.
2. Sonu Kumar Son of Naresh Malakar Resident of Village- Durgapur, P.S.- Giriyak, District- Nalanda.
3. Sonu Kumar Son of Manoj Malakar Resident of Village- Durgapur, P.S.- Giriyak, District- Nalanda.
4. Subodh Kumar Son of Naresh Malakar Resident of Village- Durgapur, P.S.- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Giriak (Pawapuri) Police Station Case No. 230 of 2019, disclosing offences under Sections 341/323/354/307/504/506/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the petitioners along with others attacked the house of the informant, started abusing and assaulting him. It has further been alleged that Raushan Kumar



kept pistol near the head of the informant and accused Sudhir Kumar assaulted by means of khanti to the informant, his wife and the brother of the informant, causing injuries to them.

Learned Counsel for the petitioners submits that both the parties are gotias and there is case and counter case inasmuch as the side of the petitioners has also filed Complaint Case No. 783C of 2019, on 29.06.2019. He further submits that there is land dispute between the parties and from perusal of the First Information Report, it would be evident that no overt act has been levelled against these petitioners. He further submits that the allegation of assault is on Raushan Kumar and Sudhir Kumar.

After having heard learned Counsel for the parties and taking into consideration the fact that there is no specific allegation against these petitioners and the allegation of assault is upon Raushan Kumar and Sudhir Kumar and there is land dispute between the parties, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Nalanda, at Biharsharif, in connection with Giriak (Pawapuri) Police Station Case No. 230 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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