

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53503 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- MUNGER MUFFASIL District- Munger

1. SHAMBHU KUMAR Son of Dayanand Paswan Resident of Village- Naya Tola Katariaya, P.S.- Munger (Muffasil), District- Munger.
2. Dayanand Paswan Son of Rameshwar Paswan Resident of Village- Naya Tola Katariaya, P.S.- Munger (Muffasil), District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Nandad Prasad
For the Opposite Party/s	:	Mr.Ram Priya Sharan Singh
For the informant	:	Mr. Ashutosh Kumar Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Munger (Mufassil) Police Station Case No. 137 of 2019, disclosing offences under Sections 447/448/341/323/324/379/307/504/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners assaulted the informant by the butt of pistol and iron-rod.

Learned Counsel for the petitioners submits that both parties are neighbours and there is case and counter case inasmuch as wife of petitioner no. 2 has filed Complaint Case



No. 484C of 2019, in which cognizance has been taken against the prosecution side. He further submits that there is previous enmity between the parties and relying on Annexure-2 series, he submits that the injury caused to the informant is simple in nature.

Learned Counsel appearing on behalf of the informant vehemently opposes the prayer for anticipatory bail and submits that the petitioners assaulted the informant by butt of the pistol and iron-rod and the treatment of the informant is still going on.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are neighbours, there is case and counter case and the injury caused to the informant is simple in nature, I am inclined to grant the petitioners 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 Judicial Magistrate, 1st Class, Munger, in connection with Munger (Mufassil) Police Station Case No. 137 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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