

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68103 of 2018**

Arising Out of PS. Case No.-115 Year-2018 Thana- BHAWANIPUR District- Purnia

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1. Amit Kumar @ Ashish Kumar and Ors
  2. Ranjeet Kumar @ Ranjeet Kumar Yadav,
  3. Sumit Kumar, All Son of Sri Upendra Yadav
  4. Amit Kumar, Son of Sri Jagatlal Yadav
  5. Deepak Kumar @ Viko @ Vikku Kumar, Son of Sri Umesh Yadav
  6. Raj Kumar @ Chamru @ Chamru Yadav, Son of Sri Mahendra Yadav
  7. Santosh Kumar, Son of Sri Bikhai Yadav, All Resident of Village- Shishva, Police Station- Bhawanipur, District- Purnia.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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**Appearance :**

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|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr.Sunil Kumar Singh         |
| For the Respondent/s | : | Mr.Sri Anuj Kumar Srivastava |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      15-01-2019                      Heard learned counsel for the petitioners and  
learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of land dispute, an altercation took place and in consequence thereof, the petitioners assaulted informant's sons, as a result of which, they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioner Nos. 1, 2, 5, 6 & 7 have got no criminal antecedent.



There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. No theft articles are alleged to have been recovered. Due to previous enmity, petitioners have been made accused in the present case. So far petitioner Nos. 1, 4, 5, 6 & 7 are concerned, there is no allegation of assault alleged against them.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is specific allegation of assault against petitioner Nos. 2 & 3.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner Nos. 2 & 3. Accordingly, their prayer for anticipatory bail is rejected.

If the petitioner Nos. 2 & 3 surrender in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

So far petitioner Nos. 1, 4, 5, 6 & 7 named above are concerned, in the event of arrest/surrender before the learned court below within a period of six weeks from today, they shall be released on anticipatory 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 Chief Judicial



Magistrate, Purnea in connection with Bhawanipur P.S. Case  
No. 115 of 2018, subject to the conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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