

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62841 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- BIBHUTIPUR District- Samastipur

1. Ram Chandra Sah, Son of Late Domi Sah Resident of Village - Bhuswar, Ward No. 8, P.S.- Bibhutipur, District - Samastipur
2. Birju Sah Son of Sri Ram Chandra Sah Resident of Village - Bhuswar, Ward No. 8, P.S.- Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Bibhutipur P.S. Case No.132 of 2019, for the offence punishable under Sections 341, 323, 325, 307, 504, 379/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners along with other co-accused persons assaulted the informant and petitioner No.1 assaulted the informant by means to pistol butt and petitioner No.2 has assaulted the informant on his jaw by means of iron rod.

Mr. Umakant Shukla, learned counsel for petitioner



submits that both the parties are co-villagers and there is dispute relating to irrigation of land between them. Learned counsel referring to Annexure-3 series submits that from the injury report, it appears that no injury has been caused on the hand and jaw of informant and only injury which has been caused on the informant is by hard and blunt substance and not by the sharp cutting weapon.

Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that both the petitioners along with other accused persons with their common intention assaulted the informant and the petitioners do not deserve the privilege of anticipatory bail.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the informant and State and taking into consideration the fact that both the parties are co-villagers and no injury has been found on the jaw and hand of the petitioner, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both 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 Shri L.N. Tripathi, Judicial Magistrate-Ist Class, Rosera, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

