

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69073 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

1. SHATRUDHAN PRASAD SRIVASTAVA @ SHATRUGHNA PRASAD @ SHATRUDHAN PRASAD SRIVASTAVA Son of Late Ram Dhari Prasad @ Ramdhari Prasad Srivastava Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.
2. Radha Krishna Prasad @ Mantu Srivastava @ Radha Krishna Kumar Srivastava Son of Late Ramdhari Prasad @ Ramdhari Prasad Srivastava Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.
3. Abhishek Kumar Srivastav @ Abhishek Kumar Srivastava Son of Shatrughna Prasad Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.
4. Putus Kumar Srivastava @ Putus Srivastava @ Ravi Roshan @ Ravi Ranjan Son of Shatrughna Prasad Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.
5. Sumit Kumar Srivastava @ Manmohan Srivastava Son of Radha Krishna Srivastava Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.
6. Prince Srivastava @ Bhutu Srivastava Son of Radha Krishna Srivastava Resident of Village-Usari, P.S.-Bakunthpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-11-2019 Heard both sides.

The petitioners apprehend their arrest in Baikunthpur
P.S. case No. 183 of 2019 registered under Section 307, 323,
337, 341, 447, 504, 34 of the IPC.

The informant alleged that Circle Inspector had come
to inspect the plot with regard to which a proceeding u/s 144 of



the Cr. P. C. was pending. The petitioners and others misbehaved with him. Alok Kumar Srivastava assaulted the informant with Farsa on his head. Anuj Kumar Srivastava assaulted the informant with Tangi on his back and other accused persons assaulted the family members of the informant.

The learned counsel for the petitioners submits that the Circle Inspector is not the complainant in the case. The informant named the Circle Inspector only to give a serious look to the occurrence. There is counter version. The informant got simple injuries on his head. Alok Kumar Srivastava is not the petitioner. No specific allegation of assault is made against the petitioners.

The learned counsel for the informant as well as the learned APP opposed the prayer for anticipatory bail and submitted that some of the petitioners have got criminal antecedent.

It appears that the occurrence took place due to land dispute in which specific allegation is made against Alok Kumar Srivastava, who is not petitioner here. The informant Basant Kumar Srivastava got simple injury on his head. No specific allegation is made against the petitioners.

Considering the facts aforesaid and nature of



allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rakesh Mani Tripathi, learned Judicial Magistrate, 1st class, Gopalganj in connection with Baikunthpur P.S. case No. 183 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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