

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73667 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- CHANPATIA District- West Champaran

1. DEO NANDAN RAM, aged about 60 years, male, S/o Late Sheo Ratan Ram,
2. Sanjay Ram, aged about 23 years, male, S/O Vinod Ram,
Both are R/o Village- Brindawan Ashram, P.S. - Chanpatiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

Prosecution case is that as per FIR, on 12.02.2019 at about 4.30 P.M., the informant was engaged in working at newly constructed "Ghotha". Upon which, his Pattidar petitioners along with others came there with variously deadly weapons and co-accused Vishal Ram gave a Farsa blow to the informant. After that the informant's "Bhagina" namely Gopi Kumar Ram came there to rescue then Binod Ram also assaulted by means of



Iron Tangi and other co-accused petitioners also assaulted by means of Lathi. On hearing Hulla, villagers came there and saved them.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the case due to land dispute. The petitioners have no criminal antecedent.

There is no specific allegation against petitioner no.1, but there is specific allegation against petitioner no. 2.

In the aforesaid facts and circumstances of the case, let the petitioner no. 1, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 52 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as petitioner no. 2 is concerned, there is specific allegation against him, so I am not inclined to grant anticipatory bail to petitioner no. 2. Accordingly, the prayer for anticipatory



bail of petitioner no. 2 is hereby rejected.

However, petitioner no. 2 is directed to surrender before the learned court below and make prayer for bail and the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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