

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5723 of 2020**

Arising Out of PS. Case No.-395 Year-2017 Thana- RANIGANJ District- Araria

1. RANA PRATAP SINGH Son of Late Prayagnarayan Singh R/o- Village- Ward No. 11, Hasanpur, P.S.- Raniganj, District- Araria.
2. Chandan Kumar Singh Son of Rana Pratap Singh R/o- Village- Ward No. 11, Hasanpur, P.S.- Raniganj, District- Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 18-06-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are seeking anticipatory bail in connection with Raniganj P.S. Case No. 395/2017 registered for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 506, 504/34 the Indian Penal Code.

Learned counsel for the petitioners submits that both the parties are close neighbours and it appears that the dispute broke out on a piece of land on which the informant was putting his hut. As per the prosecution version petitioner no. 1 assaulted the informant on his head by Farsa whereas petitioner no. 2 assaulted the son of the informant on his hand by a Lathi. Learned counsel submits that both the parties being close door



neighbours and the injuries are simple in nature, they deserve privilege of anticipatory bail.

On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners. It is submitted that so far as petitioner no. 1 is concerned, there is specific allegation that he had assaulted the informant on his head by Farsa and that allegation finds support from the injury report which shows lacerated wound in the scapular region of the informant.

So far as petitioner no. 2 is concerned, learned A.P.P. has submitted that he had assaulted the son of the informant on his hand and the injury report shows simple injury caused by blunt instrument.

Having regard to the facts and circumstances of the case, so far as petitioner no. 1 is concerned, considering that he was lashed with Farsa and had assaulted on vital part of the body of the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no. 1.

Prayer for anticipatory bail of petitioner no. 1 is, thus, refused.

In case petitioner no. 1 surrenders in the court below within a period of four weeks from today and prays for regular



bail, his prayer for regular bail shall be considered by the court below on it's own merit without being prejudiced by the order of this Court.

So far as petitioner no. 2 is concerned, although there are allegations that he had assaulted the son of the informant but on finding that petitioner no. 2 was having a Lathi in his hand from which he has assaulted on non-vital part of the body causing injury in the hand which is said to be simple in nature, let the petitioner no. 2 above named in the event of his arrest or surrender within a period of four weeks from today in connection with Raniganj P.S. Case No. 395 of 2017 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. I/C Araria subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

This Application is partly allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/Arvind

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

