

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15468 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- AWTARNAGAR District- Saran

1. RAMESH PRASAD @ RAMESH KUMAR @ HARIHAR PRASAD Son of Late Paras Nath Prasad Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran
2. Ritesh Prasad Son of Ramesh Prasad @ Harihar Prasad Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran
3. Ravi Ranjan @ Ricky @ Bikky Son of Ramesh Prasad @ Harihar Prasad Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran
4. Rajeev Ranjan @ Bullet @ Rahul Raj @ Rahul Ranjan Son of Ramesh Prasad @ Harihar Prasad @ Ramesh Kumar Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran
5. Mona Devi @ Sweta Ranjan D/O - Ramesh Prasad @ Harihar Prasad Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran
6. Goldi @ Goldi Devi @ Amrita Ranjan D/O- Ramesh Prasad @ Harihar Prasad @ Ramesh Kumar Resident of Village - Ami Karmwari Patti, P.S.- Awtarnagar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 12-11-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioners apprehend their arrest in Awtarnagar P.S. case No. 37/2019 registered under Section 341, 323, 379, 307, 324, 504, 506/34 of the IPC.

The informant, Biresh Kumar Singh, named the



petitioners and others and alleged that while he was sitting along with his wife and children, his neighbours, the petitioners and others, having armed with different weapons, came to his house and assaulted the informant and his family members. The accused persons caused different injuries to the informant and his family members.

The learned counsel for the petitioners submits that Neelam Devi, wife of petitioner No.1, lodged Awtarnagar PS case No. 31/2019. It is further submitted that there is case and counter case and Awtarnagar PS case No. 32/2019 was also lodged on the basis of statement of Anju Singh. There is land dispute between two sides. The informant made omnibus allegation of assault against the petitioners. From the side of petitioners many persons got injuries. Case diary was called for. The opinion with regard to nature of injuries was kept reserved but no final injury report was sent in spite of reminders to the I.O.

The learned APP opposed the prayer for anticipatory bail.

Of course, there is allegation against the petitioners that they assaulted the informant and his family members but from perusal of the injury report it appears that Anju Devi got



incised wound on right forearm and nature of injury appears to be superficial as the same is 1"x1/8"x1/8" of diameter. Similarly, the informant got as many as three injuries and the son of informant got one incise would. The nature of injury is simple.

Taking into consideration the facts that there appears case and counter case and the occurrence took place due to land dispute, 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 learned Additional Chief Judicial Magistrate-XI, Saran at Chapra in connection with Awtarnagar P.S. case No. 37/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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