

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17843 of 2020

Arising Out of PS. Case No.-253 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. Jangbahadur Singh Son of Late Gunilal Singh Resident of Village - Naroun, P.S.- Shambhuganj, District- Banka
2. Dablu Singh @ Pradeep Kr. Singh Son of Jangbahadur Singh Resident of Village - Naroun, P.S.- Shambhuganj, District- Banka
3. Mukesh Singh @ Mukesh Kumar Son of Jangbahadur Singh Resident of Village - Naroun, P.S.- Shambhuganj, District- Banka
4. Dilip Singh @ Dilip Kumar Singh Son of Jangbahadur Singh Resident of Village - Naroun, P.S.- Shambhuganj, District- Banka
5. Manorma Devi Wife of Jangbahadur Singh Resident of Village - Naroun, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-12-2020 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Shambhuganj P.S. Case No.253 of 2019, registered under sections 307, 341, 323, 504 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., over a dispute arising from construction of a wall between informant and his uncle petitioner no.1, it is stated that the accused persons i.e petitioner nos.2, 3, 4 and 5 assaulted the informant with *lathi*,



danda, brick etc. and injured him.

It is submitted by learned counsel for the petitioners that from perusal of the F.I.R. itself it would transpire that it was a trivial dispute between *gotias* over construction of a wall. It is submitted that the allegations are general and omnibus in nature and the petitioners have no criminal antecedent. It is further submitted that from the injury report it would transpire that injury no.1 and 5 have been opined to be simple in nature while the opinion with respect to the injury nos.2, 3 and 4 has been reserved. It is stated that injury nos.2, 3 and 4 are swelling on right hand, right leg and left hand which are non-vital part of the body.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the five petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Shambhuganj P.S. Case No.253 of 2019, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Additional
Chief Judicial Magistrate-1, Banka, subject to the conditions as
laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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