

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28976 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- SAHPUR District- Patna

1. RAMESH KUMAR @ RAMESH CHAND SINGH Son of Late Jagnarayan Singh Resident of Village- Chandmari Raghurampur, P.S.- Shahpur, District- Patna.
2. Ravindra Kumar Son of Hardeo Rai Resident of Village- Chandmari Raghurampur, P.S.- Shahpur, District- Patna.
3. Ravi Kumar @ Ravi Kumar Singh Son of Jawahar Lal Singh Resident of Village- Chandmari Raghurampur, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoranjan Kumar, Advocate
For the informant	:	Mr. Satish Chandra, Advocate
For the State	:	Mr. Kumar Virendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2020 Heard Mr. Manoranjan Kumar, learned counsel for the petitioners, Mr. Satish Chandra, learned counsel for the informant and Mr. Kumar Virendra Narayan, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with Shahpur P.S. Case No. 103 of 2020 registered for the offences punishable under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code, 1860.

The allegation as per the First Information Report is that the petitioners assaulted brother of the informant by means



of *lathi*, rod on his chest and waist and co-accused Raju Kumar assaulted him on his head by means of iron rod.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and both the parties are co-villagers and there was a dispute between them on a trivial issue of blowing horn of the vehicle on the road. Learned counsel further submits that injuries caused to the victim have been found to be simple in nature which learned counsel has brought by way of filing supplementary affidavit. Learned counsel further submits that there is case and counter case between the parties inasmuch as the mother of petitioner No. 3 namely, Dharamshila Devi has lodged Shahpur P.S. Case No. 104 of 2020 against brother of the informant and others for the occurrence which has taken place on the same date.

On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail of the petitioners and submits that petitioners along with other co-accused persons brutally assaulted the brother of the informant on his head i.e. vital part of his body and the victim was treated in PMCH due to grievous injuries.

Having heard learned counsel for the parties and



taking into consideration the materials on record and the fact that both the parties are co-villagers and injuries caused to the victim has been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur, Patna, in connection with Shahpur P.S. Case No. 103 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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