

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28881 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- PARASBIGHA District- Jehanabad

1. Nirbhay Kumar (Male), aged about – 36 years, son of Sukdeo Prasad, residents of village- Baheliya Bigha, Police Station- Tekari and District- Gaya.
2. Sanjeet Kumar (Male), aged about – 35 years, son of Lalan Sharma, residents of Mohalla- Nutan Nagar, Police Station- Civil Line and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard Mr. Manish Kumar No. 2, learned counsel for the petitioners and Mr. Awadhesh Kumar Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend their arrest in connection with Parasbigha P.S. Case No. 16 of 2020 registered for the offence punishable under Section 341 / 323 / 307 / 325 / 379 / 504 / 34 of the IPC.

The allegation as per the First Information Report is that the petitioners prevented the informant from marking his attendance in the school and when the informant protested, he was assaulted by the petitioners by means of iron rod which hit



the informant on his finger.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and both the petitioners are teachers in the same school in which the informant is also a teacher. Learned counsel further submits that dispute between the parties had arisen on the issue of marking attendance and the allegation of assault is not correct. Referring to Annexure – 2 to this bail application, which is the injury report of the informant, learned counsel submits that only little finger of the informant was found reddish.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioners are teachers in the same school in which the informant is also a teacher and the injury caused to the informant is not serious 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad / court concerned in connection with



Parasbigha P.S. Case No. 16 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 bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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