

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86223 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- ANGARGHAT District- Samastipur

1. Dharmendra Rai, male, aged about 32 years, Son of Ram Bilas Rai.
 2. Sunil Kumar Dev, male, aged about 30 years, Son of Devendra Rai.
- Both are resident of Village - Dadhiya Ashadhar, P.S. - Angarghat, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Adv.
For the Informant	:	Mr. Dharmendra Kr. Paswan, Adv.
For the State	:	Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 18-06-2020 Heard Mr. Alok Kumar Sinha, learned counsel for the petitioners and Mr. Dharmendra Kumar Paswan for the informant. The State is represented by Mr. Zainul Abedin, learned APP.

The petitioners seek bail in anticipation of their arrest in connection with Angarghat P.S. Case No. 58 of 2019, dated 11.07.2019, instituted for the offences under



Sections 323, 324, 341, 354, 379, 307, 504 and 506/34 of the Indian Penal Code.

Because of a dispute over construction of a house on a plot of land, an occurrence is said to have taken place in which both the petitioners are alleged to have assaulted the informant. The assault perpetrated by petitioner No. 1 has caused grievous injury to the informant on his head. The assault by petitioner No. 2 has injured the hands of the informant.

Learned counsel for the petitioners has submitted that there is counter version of the occurrence as well.

Considering the entire facts in a holistic manner, the prayer for grant of anticipatory bail of petitioner No. 1/Dharmendra Rai is hereby rejected.

However, if petitioner No. 1 surrenders before the Court below and seeks regular bail, the Court below, after taking into account all necessary and attendant facts, shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail application with respect to him has not been entertained by this Court.



So far as petitioner No. 2/Sunil Kumar Dev is concerned, he, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Dalsingh Sarai, Samastipur in connection with Angarghat P.S. Case No. 58 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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