

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40612 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- SHERGHATI District- Gaya

1. Pintu Tati @ Pintu Tanti @ Pintu Kumar S/o Jafar Tati @ Jafar Tanti R/o village- Jai Nagar, P.S.- Dobhi, District- Gaya
2. Vikram Tati @ Vikram Tanti @ Vikram kumar S/o Jugal Tati @ Jugal Tanti R/o village- Jai Nagar, P.S.- Dobhi, District- Gaya
3. Pokhraj Tati @ Pokhraj Tanti @ Pokhraj Kumar S/o Bulaki Tati @ Bulaki Tanti R/o village- Jai Nagar, P.S.- Dobhi, District- Gaya
4. Karu Tati @ Karu Tanti @ Ramesh Kumar S/o Kishori Tati @ Kishori Tanti R/o village- Jai Nagar, P.S.- Dobhi, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-10-2021 Heard the parties through video conferencing.

Heard learned counsel Mr. Kunwar Narayan Jamuar, appearing on behalf of the petitioners and learned APP Mr. Anil Kumar, appearing on behalf of the State.

The present pre-arrest application is for anticipatory bail to the petitioners in connection with Sherghati (Dobhi) P.S. Case No. 127 of 2020 registered under Sections 341, 323, 504, 506, 325, 307, 354 and 379/34 of the Indian Penal Code.

Allegation of the prosecution in brief is that petitioners had come to the door of the informant on 11.03.2021



at about 4 P.M. and abused the informant and his family members. On interruption, they had assaulted the informant and his family members by means of *lathi-danda* in order to kill the informant and due to assault the informant sustained serious injuries on different parts of his body.

Learned counsel appearing on behalf of the petitioner submits that these petitioners have got no criminal antecedent and there is no direct allegation against so far these petitioners are concerned. He further submits that counter-case has been filed by these petitioners on the same day before lodging of the present F.I.R.

Learned counsel appearing on behalf of the State submits that from the bare perusal of the F.I.R it appears that there is direct allegation upon petitioner nos. 1 and 2. However, she fairly submits that so far as petitioner no. 3 and petitioner no. 4 are concerned there is omnibus allegation against these petitioners.

Considering the facts and circumstances of the case, the submission made by the parties and from the perusal of the F.I.R it appears that petitioner nos. 1 and 2 have inflicted injury upon the informant which is supported by the injury report annexed to petition, I am not inclined to grant anticipatory bail



to petitioner nos. 1 and 2. So far as petitioner nos. 3 and 4 are concerned, their prayer for anticipatory bail is allowed, let the petitioner nos. 3 and 4 be released on anticipatory bail, in the event of their arrest or surrender before the Court below within four weeks from today, on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 127 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J)

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