

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4979 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- SIRDALA District- Nawada

1. BUDHAN SAO @ SURESH PRASAD GUPTA @ SURESH KUMAR GUPTA S/o- LAKHAN SAO Resident of Village- Nichali Bazar, Sirdala, P.S.- Sirdala, District- Nawada.
2. Pawan Sao @ Pawan Kumar S/o Lakhan Sao Resident of Village- Nichali Bazar, Sirdala, P.S.- Sirdala, District- Nawada.
3. Mukesh Sao @ Mukesh Kumar S/o Lakhan Sao Resident of Village- Nichali Bazar, Sirdala, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner no. 1.

Permission is accorded

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 323, 324, 307 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioner nos. 2 and 3 are persons with clean antecedent and the



informant alleges that accused persons, including the petitioners, came when informant was erecting pillar on her land and started abusing and even assaulted her as well as his father-in-law, mother-in-law, husband and brother-in-law, it is next alleged that on account of assault, the legs of her father-in-law got chopped off, further injuries was received by her husband and brother-in-law on head and one Sukesh got injury near his eyes, it is further alleged that the accused persons also caused injury to the cow on her back on account of assault by Gadasa.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case, it is next submitted that admittedly on account of dispute relating to land, the present occurrence took place, it is further submitted that as far as petitioners are concerned, the allegation of assault against them are general and omnibus in nature, it is further submitted that from bare perusal of injury report Annexure-3 and 4 series, it would manifest that even the injured have suffered injury by hard and blunt substance on non-vital part of the body, it is next submitted that as far as allegation of chopping off leg of the informant's father-in-law is concerned, the same gets belied by the injury report, the learned counsel next submits that similarly situated co-accused has been



granted bail by order dated 16.08.2022 in Cr. Misc. No. 2950 of 2022.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 trial court where the case is pending/successor court in connection with Sirdala P.S. Case No. 171 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

