

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5270 of 2022

Arising Out of PS. Case No.-703 Year-2021 Thana- KHAGARIA District- Khagaria

1. SHIV SHANKAR VERMA SON OF LATE BANKU VERMA R/O VILLAGE - CHANDRA NAGAR (RANKO), P.S. - MUFFASIL, DISTRICT- KHAGARIA
2. GUNJAN VERMA @ SURYAKANT BHARTI SON OF SHIV SHANKAR VERMA R/O VILLAGE - CHANDRA NAGAR (RANKO), P.S.- MUFFASIL, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-09-2022 Heard learned counsel for the petitioners, the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have antecedent of two cases which was filed by the side of the informant earlier.

The informant alleges that on 5.09.2021, in the morning, when he was constructing wall of his house the



petitioners along with other co-accused persons started digging a pit near the wall of the informant and quarrelled with the informant. It is alleged that on 06.09.2021, at about 7 a.m., all the accused persons including the petitioners started digging near the wall on which the informant objected, hence, quarrel took place and thereafter it is alleged that all the accused persons assaulted Chandragupt Maurya, Rajeev Ranjan and the informant. Chandragupt Maurya sustained injury on his face and head, Rajeev Ranjan sustained grievous head injury and the informant also sustained injury on his hand, leg and waist. Thereafter, it is alleged that accused persons assaulted Saroj Subasini and snatched her gold chain.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and admittedly the present occurrence took place on account of land dispute. He further submits that an FIR from the side of the petitioners' was also instituted, though it was instituted merely eight months after the occurrence, only after the order passed by the Complaint Redressal Officer. He next submits that the injuries suffered by the injured are simple in nature except one injury of the informant which is said to be grievous but is on non-vital part of the body i.e. hand.



Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioners but are not in a position to meet the submission of the learned counsel for the petitioners that the injuries suffered by the informant is on non-vital part of the body.

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 Court below 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 court below where the case is pending/successor court in connection with Khagaria Mufassil P.S. Case No. 703 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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