

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6981 of 2022

Arising Out of PS. Case No.-347 Year-2021 Thana- SIRDALA District- Nawada

1. MAHENDRA RAJBANSHI son of Rajo Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
2. JITENDRA RAJBANSHI Son of Rajo Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
3. DHARMENDRA RAJBANSHI Son of Rajo Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
4. SIMPI DEVI W/o Dharmendra Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
5. LALO DEVI W/o Mahendra Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
6. BUNTY KUMAR Son of Mahendra Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
7. AMARJIT KUMAR Son of Mahendra Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.
8. RAJO RAJBANSHI S/o Vihaspati Rajbanshi Resident of Village - Nawadih Manjhauli, P.S. - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood, APP
For the Informant	:	Ms. Kanchan Jha
		Mr. Madhav Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

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

Learned counsel for the petitioners submits that the



petitioners are persons with clean antecedent and on account of dispute relating to land the present occurrence took place in which it is alleged that the accused persons came in the field of the informant where they were working and started assaulting the family members causing grievous injury.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case, it is next submitted that the present occurrence took place on account of dispute relating to land, it is also submitted that the allegations are general and omnibus in nature i.e., no specific allegation of assault is alleged against any of the accused persons.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners and submits that the injury suffered by the injured are grievous in nature, learned counsel for the informant fairly submits that no doubt the allegation as alleged in the FIR does not specifically alleges with regard to assault but then several persons were injured from the side of the informant and they received grievous injury in support of which photographs were also shown as it has been recorded in the impugned order also.

The learned counsel for the petitioners rebuts the



submissions of the learned counsel for the informant and submits that the entire family members have been implicated, it is next submitted that petitioner nos. 4 and 5 are women and petitioner no. 8 is a senior citizen aged about 72 years, the learned counsel next submits that as far as petitioner nos. 6 and 7 are concerned, they are young boys of 22 and 20 years and are persons with clean antecedent and even presuming what has been alleged is true without admitting for the purposes of anticipatory bail then this is their first offence and in the event if at such young age they are sent to custody and that too on account of land dispute between the parties then their entire carrier would get jeopardized and at the same time they will come in contact with hardened criminals which may not be good prospect for their future.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 4, 5, 6, 7 and 8, 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. 347 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

As far as prayer for anticipatory bail of the petitioner nos. 1, 2 and 3 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to them. Their prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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