

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17612 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- KATEYA District- Gopalganj

1. DHARMENDRA PRAJAPATI S/O SHIVNATH PRAJAPATI R/O VILLAGE-AMWA, P.S-KATEYA, DISTRICT-GOPALGANJ.
2. AJAY PRAJAPATI S/O SHIVNATH PRAJAPATI R/O VILLAGE-AMWA, P.S-KATEYA, DISTRICT-GOPALGANJ.
3. SHIVNATH PRAJAPATI @ SHIVNATH PANDIT S/O SUKAT PRAJAPATI R/O VILLAGE-AMWA, P.S-KATEYA, DISTRICT-GOPALGANJ.
4. SATAN PRAJAPATI S/O RAMESHWAR PRAJAPATI R/O VILLAGE-AMWA, P.S-KATEYA, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-01-2022 Heard Mr. Amit Kumar Rakesh, learned Advocate for the petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kateya P.S. Case No. 368 of 2020 dated 28.10.2020 instituted for the offences under Sections 341, 323, 325, 379, 308, 504 and 34 of the Indian Penal Code.

So far as the overt act against the petitioners are concerned, the petitioner no. 1 is said to have assaulted by means of lathi which injured one Sanju on



her head. The injury appears to be grievous. The petitioner no. 2 is said to have assaulted one Santosh Yadav who has received only simple injuries. Petitioners no. 3 and 4 are stated to be only the members of the mob and they have not been attributed with any specific overt act.

Three persons are said to have been injured viz. Sanju, Santosh and Samdaya Devi.

Except Sanju who has been assaulted by the petitioner no. 1, the other victims have received only simple injuries.

The occurrence took place because of an earlier property dispute between the parties.

Regard being had to the nature of accusation against the petitioner no. 1/Dharmendra Prajapati, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the petitioner no. 1 is rejected.

Since the petitioner no. 2 is only said to have caused simple injuries on one of the victims and petitioners no. 3 and 4 have not been specifically alleged to have assaulted anybody in particular, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production



of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 368 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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