

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8309 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- FATEHPUR District- Gaya

1. KUNDAN KUMAR S/O LATE CHANDRIKA PARSAD YADAV
RESIDENT OF VILLAGE- DHARHARA, P.S.- FATEHPUR, DIST. GAYA
(BIHAR)
2. DHANANJAY KUMAR S/O LATE CHANDRIKA PRASAD YADAV
RESIDENT OF VILLAGE- DHARHARA, P.S.- FATEHPUR, DIST. GAYA
(BIHAR)
3. GAUTAM KUMAR S/O LATE CHANDRIKA PRASAD YADAV
RESIDENT OF VILLAGE- DHARHARA, P.S.- FATEHPUR, DIST. GAYA
(BIHAR)
4. BUNTY KUMAR @ SHUBHAM KUMAR S/O DHANANJAY KUMAR
RESIDENT OF VILLAGE- DHARHARA, P.S.- FATEHPUR, DIST. GAYA
(BIHAR)
5. SATENDER KUMAR S/O BARHO YADAV RESIDENT OF VILLAGE-
DHARHARA, P.S.- FATEHPUR, DIST. GAYA (BIHAR)
6. RAVINDER KUMAR S/O BARHO YADAV RESIDENT OF VILLAGE-
DHARHARA, P.S.- FATEHPUR, DIST. GAYA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-09-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioners as well

as the learned counsel for the informant.

The petitioners apprehend their arrest in connection



with Fatehpur P.S. Case No. 172 of 2021 registered for offence punishable under sections 147, 149, 341, 323, 325, 307, 504, 506 and 379 of the Indian Penal Code.

As per allegation, the eight accused persons went to the PDS shop of the informant. The specific allegation against petitioner no. 3 is that he assaulted the informant on his head and petitioner no. 1 assaulted the informant on his right hand resulting into fracture injury on his right hand.

The learned counsel for the petitioners has submitted that there is case and counter case and the members of defense side have also sustained injuries. He has submitted further that the informant has license of PDS shop and all the cases mentioned in paragraph 3 of the bail petition, have been lodged by the members of the prosecution side.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the informant has sustained grievous injuries.

The informant has sustained grievous injuries on his right arm, which was fractured and this is attributed against petitioner no. 1, Kundan Kumar, **as such, the prayer for anticipatory bail with respect to petitioner no. 1 is rejected.**

So far as **petitioner nos. 2 to 6** are concerned, their



prayer for anticipatory bail is allowed. Let **them** in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya in connection with Fatehpur P.S. Case No. 172 of 2021, subject to condition as laid down under section 438(2) of the Code of Criminal Procedure.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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