

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16468 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- DALSINGHSARAI District- Samastipur

1. VIJAY KUMAR PANDEY @ CHHOTE Son of Shyamanand Pandey Resident of Village- Bhagwanpur Chaksekhu, Police Station- Dalsinghsarai, District- Samastipur.
2. Vinayak Kumar @ Golu Son of Ajay Kumar Pandey Resident of Village- Bhagwanpur Chaksekhu, Police Station- Dalsinghsarai, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Anil Kumar Singh
For the Opposite Party/s :	Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2022 At the out set, learned counsel for the petitioner seeks permission to withdraw this application against petitioner no. 1.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 1.

So far as petitioner no. 2 is concerned, the instant application for anticipatory bail has been filed by him apprehending his arrest in connection with Dalsinghsaray P.S. Case no. 240 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.



As per allegation in the FIR, all accused persons including the petitioner surrounded the informant and his brother and assaulted them with iron rod on their head resulting into bleeding from the head of the informant. It is further alleged that accused persons have snatched their gold chain.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Specific allegation of assaulting by iron rod is against co-accused Ajay Kumar Pandey and against the petitioner there is general and omnibus allegation. Doctor has opined the nature of injury as simple. Both parties are agnates and there was admitted land dispute between the parties. He has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Dalsinghsaray P.S. Case no. 240 of 2021, he will be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Dalsinghsaray, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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