

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27579 of 2021

Arising Out of PS. Case No.-439 Year-2020 Thana- AMARPUR District- Banka

1. Bittu Panjiyara @ Bittu Kumar Son of Sone Lal Panjiyara Resident of Village- Nanaichak, P.S.- Amarpur, District- Banka.
2. Sone Lal Panjiyara Son of Chaprasi Panjiyara Resident of Village- Nanaichak, P.S.- Amarpur, District- Banka.
3. Subash Panjiyara Son of Govind Panjiyara Resident of Village- Nanaichak, P.S.- Amarpur, District- Banka.
4. Govind Panjiyara Son of Chgaprashi Panjiyara Resident of Village- Nanaichak, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56105 of 2021

Arising Out of PS. Case No.-439 Year-2020 Thana- AMARPUR District- Banka

1. Anirudha Panjiyara Son of Govind Panjiyara Resident of Village - Nanaichak, P.s.- Amarpur, Distt.- Banka.
2. Pawan Panjiyara @ Pawan Kumar Panjiyara Son of Govind Panjiyara Resident of Village - Nanaichak, P.s.- Amarpur, Distt.- Banka.
3. Rawan Panjiyara @ Rawan Kumar Panjiyara Son of Govind Panjiyara Resident of Village - Nanaichak, P.s.- Amarpur, Distt.- Banka.
4. Kurunjay Panjiyara @ Ranjan Kumar Panjiyara Son of Sonelal Panjiyara Resident of Village - Nanaichak, P.s.- Amarpur, Distt.- Banka.
5. Ashok Panjiyara @ Ashok Kumar Panjiyara Son of Sonelal Panjiyara Resident of Village - Nanaichak, P.s.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 27579 of 2021)

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. APP

(In CRIMINAL MISCELLANEOUS No. 56105 of 2021)

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Awadhesh Kumar Singh



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

9 16-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Amarpur P.S. Case No.439 of 2020, registered for the offences punishable under Sections 147, 148, 341, 307, 323, 354(B), 379, 504 and 506 of the Indian Penal Code.

The petitioners are said to have come armed with lathi, danda, bricks, bhala, country made pistol, surrounded the informant and started abusing her. When the informant objected, the accused persons torn her clothes. When the husband of the informant came to save her, Subhash Panjiyara assaulted him by means of bhala on his head. Thereafter the accused persons entered into the house of the informant and assaulted the children and the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. Both sides are agnates and there is land dispute between the parties. It is further submitted that specific allegation is against Subhash Panjiyara (petitioner no.3 of Cr. Misc. No.27579 of 2021) that he assaulted the husband of the informant by means



of *bhala* on his head causing head injury and the injury is grievous in nature. It is also submitted that there is general and omnibus allegation against all the petitioners except Subhash Panjiyara (petitioner no.3 of Cr. Misc. No.27579 of 2021).

Taking into consideration the fact that there is specific allegation of assault against Subhash Panjiyara (petitioner no.3 of Cr. Misc. No.27579 of 2021), I am not inclined to enlarge petitioner no.3, namely, Subash Panjiyara of Cr. Misc. No.27579 of 2021 on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.3, namely, Subash Panjiyara of Cr. Misc. No.27579 of 2021 is rejected.

So far as other petitioners are concerned, there is general and omnibus allegation against them.

Taking into consideration the facts aforesaid, let petitioners no.1, 2 and 4 of Cr. Misc. No.27579 of 2021 and petitioners of Cr. Misc. No.56105 of 2021, named above, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No.439 of 2020, subject to



the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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