

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17865 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- SABAUR District- Bhagalpur

1. RANJIT SINGH @ RANJIT DAS @ RANJIT KUMAR Son of Late Mahadev Das Resident of Village - Chhoti Dostani, P.S.- Goradih, Distt.- Bhagalpur.
2. GOVIND DAS @ GOVIND KUMAR DAS Son of Late Mahadev Das Resident of Village - Chhoti Dostani, P.S.- Goradih, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

At the outset, the learned counsel for the petitioners submits that the petitioner no. 1 has been arrested during the pendency of the present petition, as such the present petition *qua* petitioner no. 1 has become infructuous.

Accordingly, the present petition *qua* the petitioner no. 1 stands dismissed as not pressed.

This is an application for grant of anticipatory bail in connection with Sabour (Goradih) PS case no. 84 of 2019 registered for the offences punishable under Sections 354(B) and other allied sections of the Indian Penal Code.



The allegation is regarding the accused persons having assaulted the informant and as far as petitioner no. 2 is concerned, he had assaulted on the hand of the informant by lathi, on account of which his hand got fractured.

At the outset, the learned counsel for the petitioners submits that the present case arises out of case and counter case and in fact, the mother and brother of the petitioner no. 1 have also been grievously injured. It is also submitted that a bare perusal of the impugned order dated 09.04.2021 would show that the injury sustained by the informant, attributable to the petitioner no. 2, though has been found to be grievous in nature but the same has not been inflicted on the vital part of the body and secondly, it has been observed that there is swelling over dorsum of right hand, hence apparently no fracture has been found, thus the learned counsel for the petitioners, though has submitted that the petitioners shall surrender before the learned court below and seek regular bail but some directions may be given to the learned court below to consider the case of the petitioner sympathetically.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the



case and considering the submissions made by the learned counsel for the petitioners, the petitioner no. 2 is granted liberty to surrender before the learned court of Chief Judicial Magistrate, Bhagalpur in connection with Sabour (Goradih) PS case no. 84 of 2019, within a period of four weeks from today and in case, the petitioner does so, the learned court below shall consider the case of the petitioner sympathetically, taking into account the aforesaid submissions advanced by the learned counsel for the petitioner no. 2 and dispose off the regular bail petition of the petitioner no. 2 on the very same day of filing of the same.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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