

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21411 of 2022

Arising Out of PS. Case No.-353 Year-2020 Thana- GHOSI District- Jehanabad

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1. DHANANJAY KUMAR Son of Sri Ram Prit Prasad Resident of Village - Pritam Bigha, P.S.- Ghosi, District - Jahanabad
 2. Vipin Kumar Son of Sri Ramdeo Prasad Resident of Village - Pritam Bigha, P.S.- Ghosi, District - Jahanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ashfaque Ahmad
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.2 as he has been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, the instant application as against petitioner



no.2 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner no.1 only.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 148, 341, 323, 379, 307, 504 of the Indian Penal Code.

Allegedly, the petitioner along with other accused persons abused and assaulted the informant due to which he sustained injuries. Upon alarm, nearby persons reached to save him but the accused persons fled away from the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. There is a case and counter-case between the parties. In the alleged occurrence, both sides sustained injuries and the injuries are simple in nature. Petitioner no.1 has one criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for



anticipatory bail.

Having regard to the facts and circumstances of the case, since there is a land dispute between the parties and the injuries are simple in nature, let the above named petitioner no.1 be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Ghosi P.S. Case No.353 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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