

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26378 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- BAKHTIYARPUR District- Patna

1. Dhiraj Kumar And Oth Son Of Pappu Prasad Resident Of Village- Jagdishpur, P.S- Bakhtiyarpur, Dist- Patna
2. Nitish Kumar Son Of Pappy Prasad Resident Of Village- Jagdishpur, P.S- Bakhtiyarpur, Dist- Patna
3. Pappu Prasad Son Of Devan Prasad Resident Of Village- Jagdishpur, P.S- Bakhtiyarpur, Dist- Patna
4. Sanjay Prasad Son Of Devan Prasad Resident Of Village- Jagdishpur, P.S- Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 308, 379 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner no. 2 assaulted the informant by means of *Khanti* causing head injury. Petitioner nos. 1, 3 and 4 assaulted the informant and his sister-in-law (*Bhavo*) by means of *lathi, danda*.

It is submitted that petitioners have been falsely implicated in this case due to land dispute between the parties.



From the injury report, it appears that informant sustained grievous injury on his head whereas, sister-in-law of the informant sustained simple injury on her person. Petitioners claim clean antecedents.

So far as the case of Nitish Kumar petitioner no. 2 is concerned, he is alleged to have caused grievous injury to the informant, therefore, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

Having considered the facts aforesaid and the injuries attributed to petitioner nos. 1, 3 and 4 above-named which is simple in nature, they are in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 147 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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