

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37053 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- PIPRIYA District- Lakhisarai

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1. SURESH SINGH S/O LATE BHASAWAN SINGH
 2. VIKASH KUMAR S/O PANKAJ SINGH
 3. AJIT SINGH S/O KARAMDEO SINGH

All are Resident of village - Hasanpur, P.S. - Pipariya District-
Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, A.P.P.
For the Informant	:	Mr. Mayank Bilochan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 323, 324,
307, 354(B), 302, 504, 506/34 of the Indian Penal Code read
with Section 27 of the Arms Act.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.



On account of land dispute between the agnates, the present occurrence took place in which it is alleged that on the order of Bibha Kumar, Pankaj Singh assaulted by Khanti on the head of Shyamal Singh causing his injury. Bal Kishore Singh assaulted by an iron rod on the head of Balu Singh causing head injury and Karamdev Singh assaulted by Khanti on head of Banveer Singh causing injury, thereafter it is alleged that petitioner no. 3 dashed Priti Devi on the ground and petitioner no. 2 assaulted Nisha Devi by lathi and as far as petitioner no. 1 is concerned, it is alleged that he was order giver.

Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the present occurrence took place on account of land dispute between the agnates in which assault was made from both sides. It is next submitted that as far as petitioners are concerned, petitioner no. 1 is alleged to be an order giver, petitioner no. 2 is alleged to have dashed Priti Devi on the ground and petitioner no. 3 is alleged to have assaulted Nisha Devi by lathi. It is next submitted that the allegations are ornamental in nature because there is no injury report either by Priti Devi or Nisha Devi on record and petitioner no. 1 has been alleged by an ornamental allegation of order giver.



Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but is not able to rebut the submission of the learned counsel for the petitioners that the present occurrence took place on account of land dispute between the agnates and there is no injury report of the persons alleged to have been injured by the petitioner no. 2 and 3.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pipariya P.S. Case No. 32 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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