

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38286 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- MUFFASIL District- West Champaran

1. HARI RAM SON OF LATE LANGAD RAM @ HIKAYAT RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
2. PAPPU KUMAR SON OF HARI RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
3. AKHILESH RAM @ AKHILESH KUMAR SON OF HARI RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
4. SHANKAR RAM SON OF LATE LANGAD RAM @ HIKAYAT RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
5. SUBHASH @ SUBHASH KUMAR SON OF SHANKAR RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
6. MUNNI LAL PRASAD SON OF LATE JHULAN PRASAD R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
7. AWADH KISHORE PRASAD SON OF LATE JHULAN PRASAD R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
8. CHHOTELAL RAM @ CHHOTELAL PRASAD SON OF LATE LANGAD RAM @ HIKAYAT RAM R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN
9. SANDEEP KUMAR SON OF AWADH KISHORE PRASAD R/O VILLAGE- AMWA MAJHAR, TOLA- CHHAURAHA, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioners and learned



A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to land, on orders of Chhotelal, accused Hari assaulted him by *farsa* causing injury on head, Sandeep assaulted by an iron rod causing injury on head, Sankar assaulted Jangbahadur by *farsa* causing injury on head, thereafter Pappu assaulted Awadhesh by rod on head, next Amit and Akhilesh assaulted his other brother by an iron rod causing injury near right eye, thereafter Sujeet assaulted his maternal aunt (mami) by rod causing injury on leg and Subhash snatched golden chain.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that on account of dispute relating to land the present occurrence is alleged to have taken place, it is also submitted that it is difficult for any persons to allege with such precision and certainty that as to who assaulted whom and by what weapon, it is also submitted that even presuming what has



been alleged is true without admitting that the injury suffered by the injured is simple in nature, it is also submitted that as far as allegation of snatching chain against Subhash is alleged the same is ornamental, it is further submitted that allegations against petitioner nos. 6, 7 and 8 are general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 163 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial court before accepting the bail bonds shall verify with respect to the injury report of the injured and, in the event, if it is found that the injuries are grievous then the present anticipatory bail order shall not be



acted upon against petitioner nos. 1, 2, 3, 4 and 9.

(Satyavrat Verma, J)

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