

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41968 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- DAUDPUR District- Saran

1. RAMESH KUMAR SINGH Son of Ram Swarup Singh Resident of Village - Bharwalia, P.s.- Daudpur, Distt.- Saran (Chhapra).
2. SANTOSH SINGH Son of Hare Ram Singh Resident of Village - Bharwalia, P.s.- Daudpur, Distt.- Saran (Chhapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Senior Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, A.P.P.
	:	Mr. Anant Kumar Bhaskar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned Senior counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 354, 379, 504 and 506 of the Indian Penal Code.

The informant alleges that on 10.04.2022, at about 10:45 hrs when he was at his house, when on account of dispute relating to passage, the accused persons including the petitioners came variously armed and started abusing the informant and thereafter it is alleged that Shibu Kumar assaulted the informant with spade causing injury on his head, thereafter, Anuj Kumar



Singh, Pankaj Kumar Singh, Raj Kumar Singh, Bindu Devi, Amit Kumar Singh and Reeta Devi came in his rescue when they were also assaulted with iron rod, thereafter, Ashutosh assaulted Amit with spade causing injury on his head and thereafter petitioner no. 2 tore the clothes of one Reeta Devi and petitioner no. 1 dashed Bindu Devi on ground and pulled her saree.

Learned Senior counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent and have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR it would manifest that the allegation of assault is against named accused persons and as far as these petitioners are alleged the allegations are ornamental in nature, it is also submitted that no doubt there is dispute between the parties and the parties are closely related but in order to give a serious color to the case, it is alleged that petitioner no. 2 tore clothes of Reeta Devi and petitioner no. 1 pulled the saree of Bindu Devi but there is no allegation of assault against them. Learned Senior counsel also submits that from the side of the petitioners also Daudpur P.S. Case No. 111 of 2020 has been instituted and the present case is a counterblast



to the said case.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned Senior counsel for the petitioners that there is no specific allegation of assault against them.

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 Daudpur P.S. Case No. 118 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

