

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11014 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- RAGHOPUR District- Supaul

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1. Ravindra Kumar @ Ravindra Kumae Mehta Son of Ramchandra Mehta Resident of Village - Daulatpur, Near Middle School, Ward No.13, Bishanpur Daulat, P.S.- Raghobpur, Distt.- Supaul.
 2. Pramila Devi W/o Ramchandra Mehta Resident of Village - Daulatpur, Near Middle School, Ward No.13, Bishanpur Daulat, P.S.- Raghobpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Adv.
For the State	:	Mr. APP
For the Informant	:	Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 21-04-2022 Heard Mr. Arun, learned advocate for the petitioners and Mr. Shailendra Kumar Singh for the informant. The State is represented by learned Additional Public Prosecutor.

The petitioners seek bail in anticipation of their arrest in connection with Raghobpur P.S. Case No. 93 of 2020 dated 30.04.2020 instituted for the offences under Sections 341, 323, 307, 504, 379/34 of the Indian Penal Code.

So far as the accusation of assaulting the injured is concerned, it is specifically alleged against the petitioner no.1. The petitioner no.2 is not alleged to have committed any overt act.



With respect to the injuries on the person of the victim, learned counsel for the petitioners has submitted that such injuries are simple in nature. It has further been submitted that two persons are said to have caused such simple injuries, one of whom has been granted regular bail by the court below. He has further brought on record certain documents to demonstrate that there is a land dispute between the parties.

The learned counsel for the Informant however submits that the dispute pertains to some other land and taking advantage of some dispute between the parties, the petitioners are seeking anticipatory bail. He further submits that a similarly situated accused person who is also said to have assaulted the victim has been granted regular bail by the court below and, therefore, the petitioner no.1 be also asked to surrender before the court below and seek bail.

However, considering the facts that the injuries suffered by the victim which have been caused by two of the accused persons including petitioner no.1 have been found to be simple in nature and that the other accused person having caused such injuries has been granted bail by the court below as also taking into account the dispute between the parties and the petitioner no.2 not having been alleged to have committed any



overt act, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum 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, Birpur, Supaul in connection with Raghopur P.S. Case No. 93 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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