

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53251 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- MANJHI District- Saran

1. PARSHU RAM CHAUDHARY SON OF LATE DEV RAJ CHAUDHARY
RESIDENT OF VILLAGE- DUMAI GARH GARAYA TOLA, P.S.
MANJHI, DISTRICT-SARAN AT CHAPRA
2. SHASHI RANJAN @ RAJEEV RANJAN SON OF HEERA
CHAUDHARY RESIDENT OF VILLAGE- DUMAI GARH GARAYA
TOLA, P.S. MANJHI, DISTRICT-SARAN AT CHAPRA
3. LAL MOHAR CHAUDHARY SON OF LATE RAM RAJ CHAUDHARY
RESIDENT OF VILLAGE- DUMAI GARH GARAYA TOLA, P.S.
MANJHI, DISTRICT-SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Uma Kant Shukla, Advocate Sri Bijendra Kumar Singh, Advocate
For the Opposite Party/s	:	Sri Arun Kumar Singh, APP Sri Dhanesh Shankar, Advocate Sri Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 11-08-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., petitioner no. 1 assaulted the victim (son of informant) by sword on his stomach, whereas petitioner no. 2 is alleged to has assaulted by *farsa*. There is no specific allegation of assault against petitioner no. 3.



It is submitted on behalf of petitioners that due to land dispute between the parties, the alleged occurrence took place, in which, both sides sustained injury. There is case and counter case.

However, learned counsel for the informant opposed the prayer for bail and submitted that injury attributed to petitioner no. 1 is grievous in nature.

In view of specific allegation against petitioner no. 1 of causing assault by sword to the victim and injury has been found to be grievous in nature, the prayer for anticipatory bail of petitioner no. 1 namely Parshu Ram Chaudhary is refused.

So far as prayer for anticipatory bail of petitioner no. 2 and 3 is concerned, since the injury caused by petitioner no. 2 is simple in nature and there is no specific allegation of assault against petitioner no. 3, in the event of their arrest/surrender within a period of six weeks from today, petitioner no. 2 and 3 namely Shashi Ranjan @ Rajeev Ranjan and Lal Mohar Chaudhary are directed to be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIII, Saran at Chapra in connection with Manjhi P.S. Case No. 178 of 2021, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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