

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58740 of 2021

Arising Out of PS. Case No.-422 Year-2021 Thana- ARA NAGAR District- Bhojpur

1. RAJ GAURAV @ MANU Son of Chaturgun Prasad R/o Mo- Kazi Tola, P.S.- Ara Town, District - Bhojpur
2. Divya Singh Wife of Raj Gaurav @ Manu R/o Mo- Kazi Tola, P.S.- Ara Town, District - Bhojpur
3. Md. Rjizwan Son of Md. Gausuddin Khan R/o Mo- Kasai Tola, P.S.- Ara Town, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-07-2022 After some arguments, learned counsel for the petitioner seeks permission to withdraw this application against petitioner no. 1.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 1.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by them apprehending their arrest in connection with Ara Town P.S. Case no. 422 of 2021 instituted for the offence punishable under Sections 323, 324, 325, 307/34 of the Indian Penal Code.



As per allegation in the FIR, on instruction of petitioner no. 2 several accused persons including the petitioner no. 3 have assaulted the youngest son of the informant with lathi, rod and hockey stick causing fracture in his left arm.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. Petitioner no. 1 and 2 are husband and wife and they have performed their marriage against the wish of informant who is mother of petitioner no. 1. In fact, this is a family dispute. Informant and her youngest son have locked the water supply of petitioner no. 1, who runs a water-plant for his livelihood. There is case and counter case. Petitioner no. 3 is driver of petitioner nos. 1 and 2, who has no concern with the family dispute of his master.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner nos. 2 and 3 on bail. The petitioner nos. 2 and 3 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Ara Town P.S.



Case no. 422 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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