

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58986 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- AKILPUR District- Saran

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1. AVINASH KUMAR S/o Ganesh Rai Resident of Village Manas Naya Panapur, P.S. - Akilpur, District - Saran.
 2. Ganesh Rai S/O Late Shikar Rai Resident of Village Manas Naya Panapur, P.S. - Akilpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Bhushan Sinha, Adv
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP
Mr. Ravi Prakash, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-08-2022 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 143, 341, 323, 324, 354(B), 307, 325, 379, 504, 506 of the Indian Penal Code .

Allegedly, the petitioners and other co-accused persons assaulted the son of the informant due to which he sustained injuries. When the informant and his wife came to rescue their son, all the accused persons assaulted them.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and has committed no offence. They have been falsely implicated in this case at the instance of their enemies. No such occurrence, in the manner as alleged, has



ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter case between the parties. There is an admitted land dispute between the parties. One injury is simple in nature and the injury of Choudhary Rai is grievous in nature but there is no prescription of Choudhary Rai which shows that he was admitted in P.M.C.H. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case since there is a land dispute between the parties, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Akilpur P.S. Case No.39 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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