

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.67724 of 2021**

Arising Out of PS. Case No.-301 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

1. Surendra Pandey Son of Late Swaminath Pandey Resident of Village - Jiyay, P.S.- Muffasil, Distt.- Siwan.
2. Amit Kumar Pandey Son of Surendra Pandey Resident of Village - Jiyay, P.S.- Muffasil, Distt.- Siwan.
3. Meena Devi W/o Surendra Pandey Resident of Village - Jiyay, P.S.- Muffasil, Distt.- Siwan.
4. Niraj Kumar Pandey @ Niranjan Kumar Pandey Son of Late Ramashish Pandey Resident of Village - Jiyay, P.S.- Muffasil, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      18-07-2022              Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with regard to Amit Kumar Pandey petitioner no. 2, as during pendency of this case, petitioner no. 2 has already been arrested.

Prayer is allowed. The anticipatory bail application with regard to petitioner no. 2 is dismissed as withdrawn having become infructuous.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Siwan Muffasil P.S. Case No. 301 of 2021, registered for the offences punishable under Sections 307, 379 and other allied sections of



the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons all of a sudden entered into the house and attacked on the informant and his family members, as a result of which three of them sustained injury.

It is submitted that allegation of assault is general and omnibus and no specific overt act has been alleged against petitioners. Injuries sustained by the injured are found to be simple. Both parties are *Gotia* and admittedly, there is land dispute between the parties.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 301 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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