

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4711 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- DIGHA District- Patna

1. SUBHODH KUMAR SINGH @ SUBODH KUMAR Son of Radheshyam Singh @ Matab Rai R/o Yadubanshi Nagar, Akhara Gali, P.S.- Digha, District- Patna
2. RADHESHYAM SINGH @ MATAB RAI Son of Baijnath Rai R/o Yadubanshi Nagar, Akhara Gali, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupam Prabhat Shrivastava, ADV
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-05-2023 Heard Mr. Anupam Prabhat Shrivastava, learned counsel for the petitioners and Mr. Pranav Kumar, learned Additional Public Prosecutor for the State.

2. Petitioners apprehends their arrest in connection with Digha PS Case No. 191/2022 dated 20.03.2022 registered for the offence punishable under Sections 147, 148, 149, 323, 427, 504, 307 of the IPC and Section 27 of the Arms Act.

3. As per First Information Report, in the evening of 19.03.2022 while the informant along with his family members were sitting in his house, the petitioners and other accused persons five in number along with 2-3 unknown persons armed with weapon arrived at the door of the informant and started



abusing and fighting with the family members of the informant. It has further been alleged that during the fight the co-accused, Chandan Kumar fired bullet upon the brother of the informant which did not hit him and the petitioners damaged the vehicle belonging to the informant with iron rod and *lathi*.

4. Learned counsel for the petitioner submits that the both the parties are co-villagers and neighbours. Fact of the matter is that there was *Holi* festival on the date of occurrence and in the evening when the festival was being celebrated by pouring *Abir* on each other, there was scuffle between them, in which the mirror of the motorcycle of the informant got damaged. No injury has been caused to the brother of the informant due to the firing made by co-accused Chandan Kumar. Chandan Kumar along with one another co-accused, namely, Fula Devi have been granted regular bail by the court below itself. Petitioners have got no criminal antecedents.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record, nature of allegation against the petitioners and both the parties are neighbours, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in



the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Prahlad Kumar, learned Additional Chief Judicial Magistrate-XIII, Patna Sadar in connection with Digha PS Case No. 191/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

