

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16432 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- AAYAR District- Bhojpur

1. PREM CHAND PAL S/O NIHORA BHAGAT Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.
2. NARENDRA PAL @ NAGENDRA PAL S/O SUREMAN PAL Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.
3. LALAN PAL S/O LATE BHUNESHER BHAGAT Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.
4. RAS BIHARI PAL S/O LATE BUDHAN BHAGAT Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.
5. AKHILESH PAL S/O PREM CHAND PAL Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.
6. ABHIKANT PAL S/O BABAN PAL Resident of village- Laximipur, P.S.- Ayer, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 147, 148, 149, 323, 307, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner nos. 1, 2, 5 and 6 have antecedents of one case and petitioner nos. 3 and 4 are persons with clean antecedent.



The informant alleges that on 25.08.2022 at about 10:00 PM in the night, Sureman Pal along with the petitioners started constructing wall on his land on which the informant protested thereafter it is alleged that accused started pelting bricks on account of which he sustained injuries on his legs and other body parts, on alarm when informant's family came to rescue, then it is alleged that Sanjay, petitioner no. 4, Shyam Bihari and Aman Pal assaulted him with *lathi* and Sureman Pal assaulted Ram Pal with *Bhala* and blood started oozing from his leg, it is next alleged that Duliram also sustained injuries on his hand and petitioner no. 2 entered the house and held the neck of Vijyanti Devi and Sanjay snatched gold chain from her neck.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that there is a land dispute between the parties and from perusal of the allegations as alleged in the FIR, it would manifest that the occurrence also took place on account of building of a wall, which the informant alleges that it was on his land, it is further submitted that the injuries suffered by the injured are simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ayer P.S. Case No. 94 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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