

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16523 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- SALAIYA District- Aurangabad

1. Kishori Das Village- Pirwan Tole Pathan Bigha, Ps- Salaiya, Dist- Aurangabad
2. Ajay Das S/O- Ramdas Ram Village- Pirwan Tole Pathan Bigha, Ps- Salaiya, Dist- Aurangabad
3. Mohan Das S/o- Late Kishun Das Village- Pirwan Tole Pathan Bigha, Ps- Salaiya, Dist- Aurangabad
4. Arvind @ Arvind Das (M) Son of Mohan Das Village- Pirwan Tole Pathan Bigha, Ps- Salaiya, Dist- Aurangabad
5. Shivnandan Ram @ Shivnandan Das (M) Son of Late Suraj Das Village- Pirwan Tole Pathan Bigha, Ps- Salaiya, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-05-2023 Heard Mr. Ashok Kumar Singh, learned counsel for

the petitioners and Mr. Surendra Prasad Singh, learned

Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection
with Salaiya PS Case No. 115/2022 dated 05.11.2022 registered
for the offence punishable under Sections 341, 323, 325, 307,
504, 506/34 of the IPC.

3. As per FIR, the petitioners along with other
accused persons eleven in number assaulted the informant and
his family members with iron rod and *Lathi* due to which they



sustained multiple injuries.

4. Learned counsel for the petitioners submits that the allegations against the petitioners are general and omnibus in nature and the specific allegation of assault is against petitioner no.3, 4 along with one co-accused, Vijay Das who allegedly, assaulted Rakesh Kumar and Deo Narayan Paswan. The injuries caused to all the victims have been found to be simple in nature as would be evident from Annexure-2 to this application. He next submits that there is a counter case also lodged by the side of the petitioners bearing Salaiya PS Case No. 116/2022 and from the side of the petitioners, altogether eight persons sustained injuries which would be evident from Annexure-4 to this application.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that both the parties are co-villagers, there is a case and counter case, both sides have sustained injuries which are simple in nature, petitioners have got no criminal antecedents, 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 learned Chief Judicial Magistrate, Aurangabad in connection with Salaiya PS Case No. 115/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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