

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21202 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- KHUDAGANJ District- Nalanda

1. Suranjan Yadav @ Suranjan Kumar Son Of Upendra Singh @ Upendra Yadav R/V- Beldar Bigha, P.S- Khudaganj, Dist- Nalanda
2. Kavindra Yadav @ Kavindra Prasad Son Of Ram Suresh Yadav R/V- Beldar Bigha, P.S- Khudaganj, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 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, 323, 325, 307, 354, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons, including the petitioners, assaulted his cousin by an iron rod causing injury on head and thereafter Suranjan (petitioner no.1) assaulted the informant by *lathi* causing injury on head.

Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case, it is next submitted that there is no specific allegation of assault against any of the accused of assaulting Ramanuj rather the allegations are general and omnibus in nature, it is next submitted that as far as petitioner no.1 is concerned, he is alleged to have assaulted the informant by *lathi* causing injury on head but then the injury suffered by the informant is simple in nature. Learned counsel further submits that Ramanuj, who is alleged to have been assaulted by the accused persons, has suffered injury but then the FIR does not specifically allege that who assaulted him i.e. allegation of assault is general and omnibus, it is next submitted that even the injuries suffered by Ramanuj does not get corroborated in the nature of allegations of assault i.e. it has been alleged that he was assaulted by several of the accused persons but then he suffered injury on head and hand. It is next submitted that there is a case and counter case between the parties and there is an admitted land dispute. Learned counsel submits that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

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 Court below 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 court below where the case is pending/successor court in connection with Khudaganj P.S. Case No. 104 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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