

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27117 of 2023

Arising Out of PS. Case No.-951 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. MUKESH KUMAR SINGH Son of Surendra Singh Resident of village-
Kakarkund, P.S.-Gopalganj, District-Gopalganj
 2. JITENDRA KUMAR SINGH Son of Surendra Singh Resident of village-
Kakarkund, P.S.-Gopalganj, District-Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 504, 379, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and the informant
alleges that on account of dispute relating to land, an altercation
took place in which six named accused persons including the
petitioners came and started abusing him, it is next alleged that
petitioner no. 2 assaulted the informant with spade causing
injury on his head and thereafter he fell down when all the



accused assaulted him with *lathi* and *danda*, it is next alleged that when Sikandar Singh and Rita Devi came to rescue, all the accused persons assaulted them also, further, petitioner no. 1 dashed the wife of the informant and assaulted her on which she became semi-naked and Anika Devi snatched chain of the wife of the informant.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that no doubt it is alleged that petitioner no. 2 assaulted the informant on head causing injury, but then from perusal of the injury report, it would manifest that the injury on head is simple in nature, though one of the injuries suffered by the informant i.e. removing of nail is said to be grievous but then i.e. on non-vital part of the body, it is further submitted that one of the injuries of the informant's brother is also said to be grievous but then i.e. swelling and the said portion is also not vital part of the body, it is further submitted that there is admitted land dispute between the parties and both the petitioners are persons with clean antecedent.

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

6. 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 Gopalganj Town P.S. Case No. 951 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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