

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33701 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- OBRA District- Aurangabad

DULARI KUER WIFE OF LATE PREM CHAND LAL GUPTA Resident of
Village- Obra, P.S.-Obra, District-Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35193 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- OBRA District- Aurangabad

1. RAMJI PRASAD GUPTA @ RAJAN KUMAR Son of Late Premchand Lal Gupta Resident of Village - Obra, P.S.- Obra, District - Aurangabad.
2. Lakhnan Prasad Son of Late Premchand Lal Gupta Resident of Village - Obra, P.S.- Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33701 of 2023)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

: Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

(In CRIMINAL MISCELLANEOUS No. 35193 of 2023)

For the Petitioner/s :” Mr. Krishna Prasad Singh, Sr Adv.

: Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2023 As both these applications arises from the same P.S.

Case No., with consent of the parties they have been heard

together and disposed of by this common order.

2. Heard learned counsel for the petitioners and



learned APP for the State.

3. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 307, 379, 341, 323, 504, 448 and 325/34 of the Indian Penal Code pending in the learned court below.

4. As per the prosecution case, petitioners along with other co-accused persons are said to have assaulted the family members of the informant by means of lathi and danda.

5. Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is admitted land dispute between the parties. He submits that in the present occurrence both sides have sustained grievous injuries. He further submits that there is case and counter case between the parties. He further submits that petitioner in Cr. Misc. No. 3371/2023 has got no criminal antecedent and petitioners in Cr. Misc. No. 35193/2023 have got one criminal antecedent as stated in para-3 of the bail application.

6. Learned APP for the State opposes the prayer for bail.

7. Considering the aforesaid facts and circumstances and the fact that both sides have sustained grievous injuries and



there is admitted land dispute between the parties, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Obra P.S. Case No.04/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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