

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38044 of 2023

Arising Out of PS. Case No.-987 Year-2022 Thana- SUPAUL District- Supaul

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1. MUNNA PANDIT Son of Late Kusho Pandit Resident of Village - Sukhpur, Police Station and District - Supaul
 2. Saini Pandit @ Sanni Pandit @ Shouni Pandit Son of Munna Pandit Resident of Village - Sukhpur, Police Station and District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Supaul PS case no. 987 of 2022, registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The case of the prosecution in brief, according to the informant, is that on 23.10.2022 at about 10 am, the accused persons including the petitioners herein, variously armed, had arrived at the door of the house of the informant and had told him that they would construct a house in the vacant land, which was opposed to by the informant, whereupon the accused



persons are stated to have assaulted him and his wife.

4. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. The petitioners are stated to be accused in two other cases but they are on bail in both the cases. The learned counsel for the petitioners has further submitted that as far as the petitioner no. 1 is concerned, he is stated to have assaulted the mother of the informant while the petitioner no. 2 is stated to have assaulted the informant on his head by *dabia*, however, the fact remains that no serious injuries have been sustained by the informant, as is apparent from the prescription annexed to the present petition. It is also submitted that the present case arises out of case and counter case.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the present case arises out of case and counter case and the injuries sustained by the informant have not been stated to be serious in nature, I deem it fit and appropriate to admit the petitioners to the privilege of



anticipatory bail.

7. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Supaul in connection with Supaul PS case no. 987 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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