

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39096 of 2023

Arising Out of PS. Case No.-659 Year-2022 Thana- NAUTAN District- West Champaran

1. MURARI DUBEY son of Late Dadan Dubey @ Late Dadn Dubey Village-Sheorajpur Ps- Nautan Dist- West Champaran
2. Tuntun Dubey son of Late Dadan Dubey @ Late Dadn Dubey Village-Sheorajpur Ps- Nautan Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nautan Police Station Case No. 659 of 2022, dated 04.12.2022, disclosing offences under Sections 341/323/324/307/337/379/504/34 of the Indian Penal Code.

The prosecution case, on the basis of the First Information Report, is that the petitioner no. 1 assaulted the informant by means of farsa and the petitioner no. 2 assaulted the informant's brother by means of farsa.

Learned Counsel for the petitioners submits that the that the occurrence has taken place due to quarrel between the children of both sides. He further submits that there is a counter case, Nautan P. S. Case No. 664 of 2022, lodged by the side of



the petitioners against the informant and others. He next submits that both the parties are agnate and injuries caused to the informant and his brother are simple in nature.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnate, there is case and counter case between them, the occurrence has taken place on trivial issue of quarrel between the children of both sides and the injury caused to the victims are simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan Police Station Case No. 659 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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