

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40708 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- MEHANDIA District- Jehanabad

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1. NITESH KUMAR @ NITISH KUMAR Son of Vishundev Singh Resident of village - Masuda, P.S.- Mehandia, District - Arwal.
 2. Mukesh Singh @ Mukesh Kumar Son of Vishundev Singh Resident of village - Masuda, P.S.- Mehandia, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Poddar Suresh Gandhi

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 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, 447, 354, 307, 504, 34 of the Indian Penal Code.

3. The informant alleged that on account of a dispute relating to land, an altercation took place in which it is alleged that four named accused persons including the petitioners started abusing the informant and when the informant objected, it is alleged that they assaulted Rinki Kumari with lathi causing injury on her head and thereafter, petitioner No. 1 assaulted the father of the informant with lathi causing injury on his head and



petitioner No. 2 assaulted Rakesh with lathi causing injury on his head.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that on account of dispute relating to land, the present occurrence is alleged to have taken place in which both sides assaulted each other and from the side of the petitioners also Mehandia P.S. Case No. 113 of 2022 was instituted against the side of the informant and others, it is next submitted that no doubt it is alleged that petitioner No. 1 and 2 have assaulted the father and brother of the informant on head but then the injuries suffered by them is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that the impugned order does not record about the nature of injury.

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 Mehandia P.S. Case No. 96 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court before accepting the bail bonds of the petitioners shall verify the injuries of the father and brother of the informant and in the event if it is found that the injuries suffered either by father or brother of the informant is grievous in nature then in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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