

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39572 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- KASMA District- Aurangabad

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1. RAJU KUMAR SON OF FEKU YADAV RESIDENT OF VILLAGE- SHIVA GAMHARIA, PS- KASMA, DISTT- AURANGABAD
 2. AJIT KUMAR SON OF FEKU YADAV RESIDENT OF VILLAGE- SHIVA GAMHARIA, PS- KASMA, DISTT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-09-2023 At the outset learned counsel for the petitioners submits that as petitioner No. 2 has already been arrested, this pre-arrest bail application on his behalf had already become infructuous *vide* earlier order dated 06.09.2023.

2. Heard the parties.

3. Petitioner No. 1 apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

4. According to F.I.R., this petitioner is alleged to have assaulted the son of the informant on his head by means of *khanti* as a result of which he sustained injury.

5. Learned counsel for the petitioner submits that



dispute over construction of drainage led to scuffle in which both sides sustained injuries. Till date doctor has not opined about the nature of injury. Case and counter case. Petitioner has got clean antecedent.

6. Considering the backdrop of the incident, case and counter case and clean antecedent, this anticipatory bail is allowed and it is ordered that let above named petitioner No. 1 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Kasma P. S. Case No. 53 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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