

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40981 of 2023

Arising Out of PS. Case No.-61 Year-2023 Thana- GOGRI District- Khagaria

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1. NIRAJ KUMAR son of Sita Ram Singh Village- Itahari PS- Gogri Dist- Khagaria
 2. Dhiraj Kumar son of Sita Ram Singh Village- Itahari PS- Gogri Dist- Khagaria
 3. Pankaj Kumar son of Sita Ram Singh Village- Itahari PS- Gogri Dist- Khagaria
 4. Mukesh Kumar son of Parmeshwar Singh Village- Itahari PS- Gogri Dist- Khagaria
 5. Devki Singh son of Bharat Singh Village- Itahari PS- Gogri Dist- Khagaria
 6. Sajaan Kumar son of Devki Singh Village- Itahari PS- Gogri Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2 (Dhiraj Kumar).
3. Permission is accorded.
4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.



5. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

6. The informant alleges that on account of dispute relating to throwing of garbage, an altercation took place in which both sides assaulted each other and it is alleged that petitioner no. 1 assaulted the informant with butt of the pistol while rest of the accused also assaulted along with 10 unknown.

7. Learned counsel for the petitioner submits that petitioners are neighbours and the allegation of assault is general and omnibus in nature though it is alleged that petitioner no. 1 assaulted the informant with butt of the pistol, but then the impugned order does not record about any injury.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. 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 Gogri



P.S. Case No. 61 of 2023 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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