

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40980 of 2023

Arising Out of PS. Case No.-759 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. JAMADAR RAI S/O LATE BALDEO RAI R/O VILLAGE- PURWARI TOLA, PS. TURKAULIYA, DIST. EAST CHAMPARAN
 2. MUNNA KUMAR @ JHUNNA KUMAR @ JHUNJHUN KUMAR S/O RAJ KUMAR R/O VILLAGE- PURWARI TOLA, PS. TURKAULIYA, DIST. EAST CHAMPARAN
 3. FULENA RAI @ FULENA PD. YADAV S/O LATE BALDEO RAI R/O VILLAGE- PURWARI TOLA, PS. TURKAULIYA, DIST. EAST CHAMPARAN
 4. RAJ KUMAR RAI @ KARIMAN RAI S/O LATE BALDEO RAI R/O VILLAGE- PURWARI TOLA, PS. TURKAULIYA, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, 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. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 379, 308, 448, 427, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.
4. The informant alleges that on account of dispute



relating to land, an altercation took place in which it is alleged that seven named accused persons including the petitioners came and on orders of petitioner no. 1 and petitioner no. 4, accused Prince Kumar assaulted the informant with a rod, Jhuna Kumar assaulted the informant with spade causing injury on his head, thereafter, petitioner no. 3 assaulted Rakesh Rai with an iron rod causing injury on his head and right hand and petitioner no. 4 took out Rs. 25,000/- from his pocket and the other accused persons snatched ornaments and important documents.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner nos. 1 and 4 have been implicated by alleging that they are order givers, petitioner no. 3 is alleged to have assaulted Rakesh causing injury on head and right hand, but then the injuries are simple in nature and allegation against petitioner no. 4 of snatching Rs. 25,000/- is ornamental in nature, when it is admitted that the occurrence took place on account of dispute relating to land and petitioners and the informant are neighbours.

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



7. 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 Tarkauliya P.S. Case No. 759 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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