

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50177 of 2023

Arising Out of PS. Case No.-187 Year-2020 Thana- SAMASTIPUR District- Samastipur

1. Paltu Ram Son Of Late Bihari Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar
2. Rajesh Ram @ Rajesh Kumar Son Of Paltu Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar
3. Girish Ram @ Girish Kumar Son Of Paltu Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar
4. Umesh Ram @ Umesh Kumar Son Of Paltu Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar
5. Rajan Kumar Son Of Paltu Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar
6. Raja Kumar Son Of Paltu Ram Resident Of Village- Ambedkar Nagar, Ward No. 24, Samastipur, Town, Ps- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 504, 379, 324/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on the alleged date and time of the occurrence, on the orders of petitioner No. 1, all the accused persons assaulted the informant with fists and slaps



and when one Ram Kishore Rai came to the rescue then petitioner No. 2 assaulted him with *Katta* on his head as a result of which he became unconscious. It is further alleged that these petitioners also assaulted with iron rod on the head of Praveen Kumar, Navin Kumar and Harsh Kumar causing injury to them and in course of it, petitioner No. 3 snatched gold chain from the neck of the informant and petitioner No. 5 tore his clothes.

4. It is submitted that on behalf of the petitioners that due to land dispute between the parties pending *vide* Title Suit No.16 of 1990, a free fight took place in which both sides sustained injuries. As a matter of fact, present case is counter blast of Samastipur Town P. S. Case No. 186 of 2020 which was lodged earlier in point of time by the son of petitioner No. 1. Allegations levelled against the petitioners are general and omnibus. No specific overt act has been alleged against these petitioners. Petitioners claim clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their 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) each with two sureties of the like



amount each to the satisfaction of Chief Judicial Magistrate,
Samastipur in connection with Samastipur Town P. S. Case No.
187 of 2020, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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