

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47421 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- KHUSRUPUR District- Patna

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1. Mahesh Singh Son of Late Rajendra Singh R/V- Hasanpur, P.S- Khushrupur, Dist- Patna
 2. Rishu @ Rishu Kumar Son of Satyendra Singh R/V- Hasanpur, P.S- Khushrupur, Dist- Patna
 3. Shishu Pal Son of Mahesh Singh R/V- Hasanpur, P.S- Khushrupur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-01-2023 Heard the parties.

It is submitted that in order dated 08.12.2022 by mistake a prayer was made for withdrawal of entire bail application, instead of withdrawal of bail application with respect to petitioner Nos. 2 and 3 as they were arrested during pendency of the case. As a result, entire bail application was dismissed as withdrawn.

Learned counsel for the petitioners seek permission to withdraw the anticipatory bail petition with respect to petitioner Nos. 2 and 3.

Permission is granted.

The anticipatory bail petition with respect to petitioner No. 2 and 3 is dismissed as withdrawn.

Petitioner No. 1 apprehends arrest in a case registered



for the offences punishable under Sections 307, 504/34 and other sections of Indian Penal Code.

As per F.I.R., this petitioner along with other accused persons assaulted the informant by means of spear and *Garrasa* as a result, informant sustained injury on his abdomen and head.

Learned counsel appearing for the petitioner submits that due to land dispute a simple altercation took place between the parties. Allegation of assault is general and omnibus. Injuries caused by the petitioner are simple in nature. Petitioner has got clean antecedent.

Considering the nature of injury and clean antecedent of the petitioner, let the 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 Judicial Magistrate, 1st Class, Patna in Khushrupur P. S. Case No. 170 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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