

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58227 of 2022

Arising Out of PS. Case No.-286 Year-2022 Thana- NAUTAN District- West Champaran

1. DAROGA DAS SON OF LATE BHAGELU DAS R/O VILLAGE- KATHAIYA BISHUNPURA, P.S.- JAGDISHPUR, DISTRICT- WEST CHAMPARAN
2. CHANDRA DEVI @ CHANDA DEVI WIFE OF DAROGA DAS R/O VILLAGE- KATHAIYA BISHUNPURA, P.S.- JAGDISHPUR, DISTRICT- WEST CHAMPARAN
3. SHAIL DEVI @ SHAILY DEVI WIFE OF KARIMAN DAS R/O VILLAGE- KATHAIYA BISHUNPURA, P.S.- JAGDISHPUR, DISTRICT- WEST CHAMPARAN
4. GOPI KUMAR SON OF DAROGA DAS R/O VILLAGE- KATHAIYA BISHUNPURA, P.S.- JAGDISHPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Nautan Jagdishpur P.S. case no.286 of 2022, registered for the offence punishable under Sections 147, 149, 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

The allegation against the petitioners is that they alongwith other co-accused persons have indiscriminately assaulted the informant's side by means of several weapons due to which they sustained injuries.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. He further submits that both the parties are close pattidar and there is family dispute with regard to homestead land. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner no.1 and 2 to assault the informant, due to which he sustained grievous injury.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no. 1 and 2 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

However, having regard to the facts and circumstances of the case, as there is specific allegation against the petitioner no.3 and 4 but the injury has been found simple in nature, let the above named petitioner nos. 3 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Nautan Jagdishpur P.S. Case No.286 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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