

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68841 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- MAIGRA District- Gaya

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Ranjeet Kumar @ Ranjeet Yadav Son of Meghu Yadav @ Maghu Yadav R/V-
Genjana, Sonepurbigha, Karma, P.S- Karma, Dist- Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R and
apprehending his arrest in connection with Maigra P. S. Case
No. 42 of 2021 registered for the offences punishable under
Sections 147, 148, 149, 341, 324, 307, 427, 435 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is to assault
informant and others, along with other co-accused
persons/family members, while equipped with **Tangi, Bhala,**
Garasa etc. where informant and others received head and



bodily injuries, having intention to cause their death, where occurrence is founded over local dispute and differences.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is free fight in nature, where both parties received injuries and for the same set of occurrence Maigra P. S. Case No. 41 of 2021 was registered by petitioner's side. It is submitted that the case of petitioner is prior to the case of informant. It is further submitted that injuries received during the course of occurrence as alleged to cause appearing simple in nature except of Anant Yadav, who alleged to received grievous injuries caused specifically by co-accused, namely, Rajendra Yadav, who is not the petitioner for the present. It is also submitted that as occurrence is free fight in nature, therefore, it is safe to gather that petitioner was not under intention to cause death. While concluding the argument, it is submitted that petitioner found involved in one criminal case, where he is on bail and, moreover, similarly situated co-accused persons have already been granted anticipatory bail by different learned Co-ordinate Bench of this Court through Cr. Misc. No. 69438 of 2022 vide order dated 21.03.2023 and Cr. Misc. No. 6886 of 2023 vide order dated 13.04.2023.

Learned APP for the State opposes the prayer of bail.



Considering the aforesaid facts and circumstances and by taking note of nature of allegation, where occurrence is appearing free fight in nature, negating intention to cause death on its face, let above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class, Sherghatti, Gaya/concerned Court, in connection with Maigra P. S. Case No. 42 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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